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The Calcutta Gazette

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THURSDAY, JANUARY 1, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court, .
Government Treasury, etc.

GOVERNMENT OF BENGAL

**DEPARTMENT OF AGRICULTURE AND
INDUSTRIES.**

Jute.

NOTIFICATION.

No. 547J.—31st December 1941.—In exercise of the power conferred by sub-section (3) of section 1 of the Bengal Raw Jute Taxation Act, 1941 (Bengal Act IX of 1941), the Governor is pleased to direct that the said Act shall come into force on the 1st January 1942.

By order of the Governor,

S. BASU,

Secy. to the Govt. of Bengal.



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SATURDAY, JANUARY 3, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Police.

NOTIFICATION.

No. 21Pl.—3rd January 1942.—In exercise of the powers conferred by sub-rule (7) of rule 52 of the Defence of India Rules, the Governor is pleased to make the following amendment in the Orders published under notifications Nos. 3851Pl. and 3852Pl., dated the 18th December 1941, viz.:—

In paragraph 3 of each of the said Orders add the following area, namely:—

“(11) *Kharagpur Railway Settlement.*”

The area within the boundaries specified below:—

Northern boundary—

1. Alinagar.
2. Chandipur
3. Govindapur.
4. Khargpur Khas jungle.
5. Bhagabanpore.
6. Kharida.

7. Bhabanipur.
8. Debalpur.
9. Panchberi Mills.
10. Pirbaba.

Eastern boundary—

1. Ipeal thana (Inda).
2. Poketpara.
3. Old Khargpur.
4. Raghampur.

Southern boundary—

1. Belgiri.
2. Gaikala.
3. Jhapatapur.
4. Chota Tangra.
5. Naldanga.

Western boundary—

1. Aima.
2. Mathurahati Khas jungle.
3. Khargpur Khas jungle.
4. Dewanmara.”

By order of the Governor,

E. N. BLANDY,
Secy. to the Govt. of Bengal.



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MONDAY, JANUARY 5, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

DEPARTMENT OF COMMERCE AND LABOUR.

Commerce.

NOTIFICATIONS.

No. 47Com.—3rd January 1942.—Whereas the Provincial Government is of opinion that employment under the Calcutta Electric Supply Corporation, Limited, is essential for securing the defence of British India and the efficient prosecution of war and for maintaining supplies and services necessary to the life of the community:

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Services (Maintenance) Ordinance, 1941 (Ordinance No. XI of 1941), the Governor is pleased to declare such employment to be an employment to which the said Ordinance applies.

No. 48Com. 3rd January 1942.—Whereas the Provincial Government is of opinion that employment under the Oriental Gas Company, Limited, is essential for securing the defence of British India and the efficient prosecution of war and for maintaining supplies and services necessary to the life of the community:

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Services (Maintenance) Ordinance, 1941 (Ordinance No. XI of 1941), the Governor is pleased to declare such employment to be an employment to which the said Ordinance applies.

By order of the Governor,

M. K. KIRPALANI,

Joint Secy. to the Govt. of Bengal.



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THURSDAY, JANUARY 8, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

DEPARTMENT OF COMMERCE AND LABOUR.

Commerce.

NOTIFICATIONS.

No. 49Com.—3rd January 1942.—Whereas the Provincial Government is of opinion that employment under the Calcutta Tramways Company, Limited, is essential for securing the defence of British India and the efficient prosecution of war and for maintaining supplies and services necessary to the life of the community:

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Services (Maintenance) Ordinance, 1941 (Ordinance No. XI of 1941), the Governor is pleased to declare such employment to be an employment to which the said Ordinance applies.

No. 50Com.—3rd January 1942.—Whereas the Provincial Government is of opinion that employment under the Bengal Telephone Corporation, Ltd., is essential for securing the defence of British India and the efficient prosecution of war and for maintaining supplies and services necessary to the life of the community:

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Services (Maintenance) Ordinance, 1941 (Ordinance No. XI of 1941), the Governor is pleased to declare such employment to be an employment to which the said Ordinance applies.

By order of the Governor,

M. K. KIRPALANI,

Joint Secy. to the Govt. of Bengal.



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TUESDAY, JANUARY 20, 1942.

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Constitution and Elections.

NOTIFICATIONS.

No. 114A.R.—20th January 1942.—It is hereby notified that Rai Moongtu Lall Tapuriah Bahadur has, by writing under his hand, addressed to His Excellency the Governor resigned his seat as a member of the Bengal Legislative Assembly for the Marwari Association Constituency in the forenoon of the 22nd December 1941.

No. 115A.R.—20th January 1942.—In exercise of the power conferred by sub-paragraph (1) of paragraph 20 of Part I of the Government of India (Provincial Legislative Assemblies) Order, 1936, read with

sub-rule (1) of rule 121 of the Bengal Legislative Assembly Electoral (Conduct of Elections) Rules, 1936, the Governor is pleased to fix the 20th March 1942 as the date before which the Marwari Association Constituency of the Bengal Legislative Assembly shall elect a member to fill the vacancy caused by the resignation of Rai Moongtu Lall Tapuriah Bahadur, a member elected for the said constituency, when the said constituency is called upon to do so under the said sub-rule.

No. 116A.R.—20th January 1942.—Whereas a vacancy has been caused by the resignation of Rai Moongtu Lall Tapuriah Bahadur of his seat as a member for the Marwari Association Constituency of the Bengal Legislative Assembly:

Now, therefore, in exercise of the power conferred by sub-rule (1) of rule 121 of the Bengal Legislative Assembly Electoral (Conduct of Elections) Rules, 1936, the Governor is hereby pleased to call upon the

said Marwari Association Constituency to elect a person for the purpose of filling the vacancy so caused before the 20th March 1942 which is the date fixed in that behalf by the Governor under notification No. 115A.R., dated the 20th January 1942.

No. 117A.R.—20th January 1942.—In exercise of the power conferred by sub-rule (2) of rule 4 of the Bengal Legislative Assembly Electoral (Conduct of Elections) Rules, 1936, the Governor is hereby pleased to publish the following dates fixed by him under subparagraph (1) of paragraph 20 of Part I of the Government of India (Provincial Legislative Assemblies) Order, 1936, read with clauses (a), (b) and (c) of sub-rule (2) of the said rule for the doing of acts, in connection with the

by-election to be held in the Marwari Association Constituency of the Bengal Legislative Assembly in pursuance of notification No. 116A.R., dated the 20th January 1942, mentioned respectively opposite each such date:—

Date on or before which nominations of candidates are to be made—29th January 1942.

Date on which scrutiny of nominations is to be held—2nd February 1942.

Date on or before which candidatures may be withdrawn—3rd February 1942.

By order of the Governor,

J. L. LLEWELLYN,

Addl. Dy. Secy. to the Govt. of Bengal.



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THURSDAY, JANUARY 22, 1942

PART V

Acts of the Indian Legislature assented to by the Governor-General and Ordinances promulgated by the Governor-General.

GOVERNMENT OF INDIA.

Legislative Department.

New Delhi, the 2nd January, 1942.

ORDINANCE No. II of 1942.*

AN

ORDINANCE

to provide for the setting up of special criminal Courts.

WHEREAS an emergency has arisen which makes it necessary to provide for the setting up of special criminal Courts;

NOW, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act as set out in the Ninth Schedule to the Government of India Act, 1935, the Governor-General is pleased to make and promulgate the following Ordinance:—

26 Geo.
5, c. 2.

Short title,
extent and
operation.

1. (1) This Ordinance may be called the Special Criminal Courts Ordinance, 1942.

(2) It extends to the whole of British India.

(3) It shall come into force in any Province only if the Provincial Government, being satisfied of the existence of an emergency arising from a hostile attack on India or on a country neighbouring on India or from the imminence of such an attack, by notification in the official Gazette, declares it to be in force in the Province, and shall cease to be in force when such notification is rescinded:

Provided that any trial or proceeding which was pending at the time of such rescission may be continued and completed as if the provisions of this Ordinance were still in force.

Definition.

2. In this Ordinance, unless there is anything repugnant in the subject or context, "Provincial Government" means, in relation to a Chief Commissioner's Province, the Chief Commissioner.

Special Courts.

3. Courts of criminal jurisdiction may be constituted under this Ordinance of the following classes, namely:—

- (i) Special Judges;
- (ii) Special Magistrates;
- (iii) Summary Courts.

Special Judges.

4. The Provincial Government may appoint to be a Special Judge for such area as it may think fit any person who has acted for a period of not less than two years in the exercise of the powers of a Sessions Judge or an Assistant Sessions Judge under the Code of Criminal Procedure, 1898 (hereinafter in this Ordinance referred to as the Code). V of 1898.

Jurisdiction of Special Judges.

5. A Special Judge shall try such offences or classes of offences, or such cases or classes of cases as the Provincial Government, or a servant of the Crown empowered by the Provincial Government in this behalf, may, by general or special order in writing, direct.

Procedure of Special Judges.

6. (1) A Special Judge may take cognizance of offences without the accused being committed to his Court for trial, and, in trying accused persons, shall follow the procedure prescribed by the Code for the trial of warrant cases by Magistrates:

Provided that a Special Judge shall ordinarily record a memorandum only of the substance of the evidence of each witness examined, may refuse to summon any witness if satisfied after examination of the accused that the evidence of such witness will not be material, and shall not be bound to adjourn any trial for any purpose unless such adjournment is, in his opinion, necessary in the interests of justice.

(2) In matters not coming within the scope of subsection (1), the provisions of the Code, so far as they are not inconsistent with this Ordinance, shall apply to the proceedings of a Special Judge; and for the purposes of the said provisions the Court of the Special Judge shall be deemed to be a Court of Session.

Sentences by Special Judges.

7. A Special Judge may pass any sentence authorised by law.

Review of convictions.

8. If in any proceedings before a Special Judge—

- (a) a person convicted is sentenced to death, or to transportation for life, or to imprisonment for a term of seven years or more, or
- (b) though no person is so sentenced, the Special Judge certifies that in his opinion the case has involved questions of special difficulty whether of law or fact, or is one which for any other reason ought properly to be reviewed,

the proceedings shall be submitted for review by a person nominated in this behalf by the Provincial Government, which person shall be chosen from the Judges of the High Court having jurisdiction over the area for which the Special Judge is appointed, and the decision of that person shall be final.

Special
Magistrates.

9. Any Presidency Magistrate or Magistrate of the first class who has exercised powers as such for a period of not less than two years may be invested by the Provincial Government with the powers of a Special Magistrate under this Ordinance.

Jurisdiction
of Special
Magistrates.

10. A Special Magistrate shall try such offences or classes of offences, or such cases or classes of cases other than offences or cases involving offences punishable under the Indian Penal Code with death, as the Provincial Government, or a servant of the Crown empowered by the Provincial Government in this behalf, may, by general or special order in writing, direct.

XLV of
1860.

Procedure of
Special
Magistrates.

11. (1) In the trial of any case, a Special Magistrate shall follow the procedure laid down in sub-section (1) of section 6 for the trial of cases by a Special Judge.

(2) In matters not coming within the scope of sub-section (1), the provisions of the Code, so far as they are not inconsistent with this Ordinance, shall apply to the proceedings of a Special Magistrate; and for the purposes of the said provisions the Special Magistrate shall be deemed to be a Magistrate of the first class.

Sentences by
Special
Magistrates.

12. (1) A Special Magistrate may pass any sentence authorised by law, except a sentence of death or of transportation or imprisonment exceeding seven years.

(2) If a Special Magistrate is of opinion that an offence under trial by him requires a punishment in excess of that which he is empowered to inflict, he shall stay proceedings and send the case for trial to the Special Judge having jurisdiction in the area, and the Special Judge shall thereupon have jurisdiction to try the case as if it had been made over to him by order in writing made under section 5.

Appeals.

13. (1) Where a Special Magistrate passes a sentence of transportation or imprisonment for a term exceeding two years, an appeal shall lie to the Special Judge having jurisdiction in the area or, if there is no Special Judge for the area, to the High Court in a Presidency-town and elsewhere to the Court of Session.

(2) An appeal under sub-section (1) shall be presented within seven days from the date of the sentence.

(3) In disposing of an appeal under this section, a Special Judge shall follow the same procedure and have the same powers as an appellate Court follows and has under the Code.

Distribution
of cases.

14. If any question arises whether, under any order made under section 5 or section 10, an offence is triable by a Special Judge or a Special Magistrate, the question shall be referred for decision to the authority which made the order and the decision of that authority shall be final.

Summary
Courts.

15. The Provincial Government may, by general or special order in writing, empower any Magistrate appointed under the provisions of the Code to exercise the powers of a Summary Court in any area specified in the order.

Jurisdiction
of Summary
Courts.

16. (1) A Summary Court shall have power to try such offences or classes of offences, or such cases or classes of cases as the District Magistrate, or in a Presidency-town the Chief Presidency Magistrate, or a servant of the Crown authorised in this behalf by the District Magistrate or Chief Presidency Magistrate, may by general or special order direct:

Provided that no person shall be tried by a Summary Court for an offence which is punishable with imprisonment for a term exceeding two years, unless it is an offence specified in sub-section (1) of section 260 of the Code.

(2) The District Magistrate or Chief Presidency Magistrate may by general or special order give directions as to the distribution among the Summary Courts within his jurisdiction of cases triable by them under sub-section (1).

Procedure of
Summary
Courts.

17. In the trial of any case a Summary Court shall, as far as possible, follow the procedure laid down in the Code for the trial of warrant cases, and shall have all the powers conferred by the Code on a Magistrate:

Provided that the Court shall not be required to record more than a memorandum of the evidence or to frame a formal charge:

Provided further that, in the trial of any offence punishable with imprisonment for a term not exceeding one year, the Court may follow the procedure for the summary trial of cases in which an appeal lies laid down in Chapter XXII of the Code.

Sentences by
Summary
Courts.

18. Summary Courts may pass any sentence which may be passed by a Magistrate of the first class.

Appeals.

19. (1) If a Summary Court, in a case tried according to the procedure for the trial of warrant cases, passes a sentence of imprisonment for a term exceeding three months or of fine exceeding two hundred rupees or in a case tried by summary procedure passes a sentence of imprisonment for a term exceeding one month or of fine exceeding fifty rupees, an appeal shall lie in a Presidency-town to the Chief Presidency Magistrate and elsewhere to the Special Magistrate or other Magistrate of the first class appointed by the District Magistrate of the district in which the Summary Court is situated to hear appeals from that Court.

(2) An appeal under sub-section (1) shall be presented within seven days from the date of the sentence.

(3) In disposing of an appeal under this section, the appellate Court shall follow the same procedure and have the same powers as an appellate Court follows and has under the Code.

Procedure
when
Summary
Court
considers
case triable
by another
Court.

20. (1) If a Summary Court is of opinion that the offence disclosed is one which it is not empowered to try, it shall send the case for trial to the Special Judge or Special Magistrate empowered to try the case under this Ordinance or, if no such Court has been so empowered, to an ordinary criminal Court having jurisdiction.

(2) If a Summary Court is of opinion that an offence which it is empowered to try should be tried by a Court of superior jurisdiction, or that it requires a punishment in excess of that which the Summary Court is empowered to inflict, it shall stay proceedings and report the case to the District Magistrate or in a Presidency-town to the Chief Presidency Magistrate who may—

- (a) direct that the case shall be tried by a Summary Court, or
- (b) send it to a Court constituted under this Ordinance having jurisdiction, or to an ordinary criminal Court having jurisdiction, or
- (c) report it for the orders of the Provincial Government.

Powers of
Special
Courts to
deal with
refractory
accused.

21. (1) Where an accused, in a trial before a Court constituted under this Ordinance, has, by his voluntary act, rendered himself incapable of appearing before the Court, or resists his production before it, or behaves before it in a persistently disorderly manner, the Court may, at any stage of the trial, by order in writing made after such inquiry as it may think fit, dispense with the attendance of such accused for such period as it may think fit, and proceed with the trial in his absence.

(2) Where a plea is required in answer to a charge from an accused whose attendance has been dispensed with under sub-section (1), such accused shall be deemed not to plead guilty.

(3) An order under sub-section (1) dispensing with the attendance of an accused shall not affect his right of being represented by a pleader at any stage of the trial, or being present in person if he has become capable of appearing, or appears in Court and undertakes to behave in an orderly manner.

(4) Notwithstanding anything contained in the Code, no finding, sentence or order passed in a trial before a Court constituted under this Ordinance shall be held to be illegal by reason of any omission or irregularity whatsoever arising from the absence of any or all of the accused whose attendance has been dispensed with under sub-section (1).

Powers of
Special
Courts to
exclude the
public.

22. A Court constituted under this Ordinance may if it thinks fit, order at any stage of a trial that the public generally or any particular persons shall not have access to or be or remain in the room or building used by the Court.

Special
rule of
evidence.

23. Notwithstanding anything contained in the Indian Evidence Act, 1872, when the statement of any person has been recorded by any Magistrate, such statement may be admitted in evidence in any trial before a Court constituted under this Ordinance, if such person is dead or cannot be found or is incapable of giving evidence.

1 of 1872.

Special rule
of procedure.

24. (1) Notwithstanding anything contained in section 386 of the Code, where any offender has been sentenced by a Court constituted under this Ordinance to pay a fine, the Court may recover the fine by the issue of a warrant for the levy of the amount by attachment and sale of any property, movable or immovable, of the offender.

(2) Notwithstanding anything contained in section 545 of the Code, a Court constituted under this Ordinance may, when imposing a fine on any person convicted by the Court, order the whole or any part of the fine recovered to be applied—

(a) in the payment to any person affected by the offence of compensation for any loss, injury or annoyance caused by the offence, or

(b) in the payment of a reward to any person who has given information leading to the detection of the offence or to the conviction of the accused.

Legal prac-
titioners.

25. A Court constituted under this Ordinance shall not be required to grant an adjournment for the purpose of securing the attendance of a legal practitioner, if in the opinion of the Court such adjournment would cause unreasonable delay in the disposal of the case.



Exclusion of
interference
of other
Courts.

26. Notwithstanding the provisions of the Code, or of any other law for the time being in force, or of anything having the force of law by whatsoever authority made or done, there shall, save as provided in this Ordinance, be no appeal from any order or sentence of a Court constituted under this Ordinance and, save as aforesaid, no Court shall have authority to revise such order or sentence, or to transfer any case from any such Court, or to make any order under section 491 of the Code or have any jurisdiction of any kind in respect of any proceedings of any such Court.

Application
of ordinary
law.

27. The provisions of the Code and of any other law for the time being in force, in so far as they may be applicable and in so far as they are not inconsistent with the provisions of this Ordinance, shall apply to all matters connected with, arising from or consequent upon a trial by special criminal Courts constituted under this Ordinance.

LINLITHGOW,

Viceroy and Governor General.

The 31st December, 1941.

G. H. SPENCE,

Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

Legislative Department.

New Delhi, the 2nd January 1942.

ORDINANCE No. III of 1942.

AN

ORDINANCE

to enhance in certain circumstances the penalties provided by law for the punishment of certain offences.

WHEREAS an emergency has arisen which makes it necessary to enhance in certain circumstances the penalties provided by law for the punishment of certain offences;

NOW, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act as set out in the Ninth Schedule to the Government of India Act, 1935, the Governor General is pleased to make and promulgate the following Ordinance:—

26 Geo.
5, c. 2.

Short title,
extent and
operation.

1. (1) This Ordinance may be called the Penalties (Enhancement) Ordinance, 1942.

(2) It extends to the whole of British India.

(3) It shall come into force at once; but sections 3 to 7 inclusive shall have effect only in pursuance of and in accordance with a notification issued under section 2 and only so long as such notification remains unrescinded.

Power of
Provincial
Government
to put the
provisions of
this Ordinance
into effect.

2. The Provincial Government may, from time to time by notification in the official Gazette, declare that sections 3 to 7 inclusive, or any of them, or such provisions of section 4 or section 7 as relate to a particular offence or particular offences therein specified shall have effect throughout the Province, or in any specified area in the Province.

Punish-
ment for
theft.

3. Whoever commits theft in any premises which have been damaged by war operations, or vacated by reason of attack by the enemy or in consequence of any authorised directions given for the purpose of meeting or hindering any actual or apprehended attack by the enemy or of protecting persons and property from the dangers involved in any such attack, or commits theft of any article which has been left exposed or unprotected as a consequence of war operations shall be punished with death, or with rigorous imprisonment for a term which may extend to ten years, or with whipping.

Explanation.—In this section “theft” means theft as defined in section 378 of the Indian Penal Code, and “authorised directions” means any order or directions made or given in the exercise of any power conferred by or under the Defence of India Act, 1939, or made or given by any officer of His Majesty’s Forces acting in the course of his duties.

XLV of
1860.
XXXV of
1939.

Punishment
for offences
under sections
326, 435 and
436, Indian
Penal Code.

4. Whoever commits an offence punishable under section 326 or section 435 or section 436 of the Indian Penal Code may, in lieu of any punishment to which he is liable under the said Code, be punished with death, or with whipping.

Punishment
for contra-
ventions of
rule 35.
Defence of
India Rules.

5. Whoever contravenes any of the provisions of rule 35 of the Defence of India Rules may, in lieu of any punishment to which he is liable under the said rule, be punished with death, or with whipping.

Punishment
for offences
under section
375, Indian
Penal Code.

6. Whoever commits an offence punishable under section 375 of the Indian Penal Code may, in lieu of any punishment to which he is liable under the said Code or under the Whipping Act, 1909, be punished with death.

IV of
1909.

Punishment
for offences
under sections
146, 148 and
186, Indian
Penal Code.

7. Whoever commits any offence punishable under section 146 or section 148 or section 186 of the Indian Penal Code may, in lieu of any punishment to which he is liable under the said Code, be punished with whipping.

Saving.

8. Notwithstanding anything elsewhere contained in any Act, Regulation or Ordinance, an offence made punishable with death by this Ordinance shall not, by reason of having been made so punishable, cease to be triable by any Court which might have tried the offence had it not been made so punishable.

LINLITHGOW,

Viceroy and Governor General.

The 31st December, 1941.

G. H. SPENCE,

Secy. to the Govt. of India.



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PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Political.

NOTIFICATIONS.

No. 755P.—24th January 1942.—In exercise of the power conferred by sub-section (5)

of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Governor is pleased to direct that the powers conferred upon the Provincial Government by rule 59A of the Defence of India Rules shall, in respect of the areas specified in column 1 below, be, subject to the control of the Provincial Government, exercised by the officers specified respectively opposite each such area in column 2 below:—

| 1 | 2 |
|---|---|
| Area. | Officers. |
| The town of Calcutta as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866. | The Commissioner of Police and Deputy Commissioner of Police. |
| Each Division of Bengal excluding suburbs of Calcutta. | The Commissioner of the Division. |
| Each district of Bengal excluding the suburbs of Calcutta. | The District Magistrate and the Superintendent of Police of the district. |
| Each subdivision of Bengal. | The Subdivisional Magistrate of the subdivision. |

No. 756P.—24th January 1942.—In exercise of the power conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Governor is pleased to direct that the powers conferred upon the Provincial Government by rule 78A of the

Defence of India Rules shall, in respect of the areas specified in column 1 below, be subject to the control of the Provincial Government, exercised by the officers specified respectively opposite each such area in column 2 below:—

| 1 Area. | 2 Officers. |
|---|---|
| The town of Calcutta as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866. | The Commissioner of Police and Deputy Commissioner of Police. |
| Each Division of Bengal excluding suburbs of Calcutta. | The Commissioner of the Division. |
| Each district of Bengal excluding the suburbs of Calcutta. | The District Magistrate and the Superintendent of Police of the district. |
| Each subdivision of Bengal. | The Subdivisional Magistrate of the subdivision. |

No. 759P.—24th January 1942.—In exercise of the powers conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Governor is pleased to direct that the powers conferred on the Central Government by rule 18 of the Defence of India Rules which have been directed to be exercised by the Provincial Government by orders issued under Government of India, Defence Co-ordination Department, notification No. 893-S.M./41, dated 2nd January 1942, shall be exercisable by the Commissioner of Police, Calcutta, Deputy Commissioners of Police, Commissioners of Divisions, District Magistrates, Superintendents of Police and Subdivisional Magistrates.

Government by orders issued under Government of India, Defence Co-ordination Department, notification No. 893-S.M./41, dated 2nd January 1942, shall be exercisable by the Commissioner of Police, Calcutta, Deputy Commissioners of Police, Commissioners of Divisions, District Magistrates, Superintendents of Police and Subdivisional Magistrates.

No. 760P.—24th January 1942.—In exercise of the powers conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Governor is pleased to direct that the powers conferred on the Central Government by sub-rules (2) and (3) of rule 19 of the Defence of India Rules which have been directed to be exercised by the Provincial Government by orders issued under Government of India, Defence Co-ordination Department, notification No. 893-S.M./41, dated 2nd January 1942, shall be exercisable by the Commissioner of Police, Calcutta, Deputy Commissioners of Police, Commissioners of Divisions, District Magistrates, Superintendents of Police and Subdivisional Magistrates.

No. 762P.—24th January 1942.—In exercise of the powers conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Governor is pleased to direct that the powers conferred on the Central Government by rule 21 of the Defence of India Rules which have been directed to be exercised by the Provincial Government by orders issued under Government of India, Defence Co-ordination Department, notification No. 893-S.M./41, dated 2nd January 1942, shall be exercisable by the Commissioner of Police, Calcutta, Deputy Commissioners of Police, Commissioners of Divisions, District Magistrates, Superintendents of Police and Subdivisional Magistrates.

No. 761P.—24th January 1942.—In exercise of the powers conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Governor is pleased to direct that the powers conferred on the Central Government by rule 20 of the Defence of India Rules which have been directed to be exercised by the Provincial

No. 763P.—24th January 1942.—In exercise of the power conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), and in supersession of notification No. 2784P., dated 21st April 1941, the Governor is pleased to direct that the powers conferred upon the Provincial Government by sub-rules (1) and (2) of rule 49 of the Defence of India Rules shall be, subject to the control of the Provincial Government, exercised by all Commissioners of Divisions, Magistrates, Police Officers, Officers of the Calcutta Fire Brigade and A.R.P. Controllers appointed under section 3 of the Air Raid Precautions Services Ordinance, 1941.

No. 764P.—24th January 1942.—In exercise of the power conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Governor is pleased to direct that the powers conferred upon the Provincial Government by sub-rule (I) of rule

51D of the Defence of India Rules shall, in respect of the areas specified in column 1 below, be, subject to the control of the Provincial Government, exercised by the officers specified respectively opposite each such area in column 2 below:—

| 1 | 2 |
|---|---|
| Area. | Officers. |
| The town of Calcutta as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866. | The Commissioner of Police and Deputy Commissioner of Police. |
| Each Division of Bengal excluding the suburbs of Calcutta. | The Commissioner of the Division. |
| Each district of Bengal excluding the suburbs of Calcutta. | The District Magistrate and the Superintendent of Police of the district. |
| Each subdivision of Bengal. | The Subdivisional Magistrate of the subdivision. |

No. 765P.—24th January 1942.—In exercise of the power conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Governor is pleased to direct that the powers conferred upon the Provincial Government by rule 51E of the

Defence of India Rules shall, in respect of the areas specified in column 1 below, be, subject to the control of the Provincial Government, exercised by the officers specified respectively opposite each such area in column 2 below:—

| 1 | 2 |
|---|---|
| Area. | Officers. |
| The town of Calcutta as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866. | The Commissioner of Police and Deputy Commissioner of Police. |
| Each Division of Bengal excluding the suburbs of Calcutta. | The Commissioner of the Division. |
| Each district of Bengal excluding the suburbs of Calcutta. | The District Magistrate and the Superintendent of Police of the district. |
| Each subdivision of Bengal. | The Subdivisional Magistrate of the subdivision. |

No. 766P.—24th January 1942.—In exercise of the power conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Governor is pleased to direct that the powers conferred upon the Provincial Government by rule 51F

of the Defence of India Rules shall, in respect of the areas specified in column 1 below, be, subject to the control of the Provincial Government, exercised by the officers specified respectively opposite each such area in column 2 below:—

| 1 | 2 |
|---|---|
| Area | Officers. |
| The town of Calcutta as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866. | The Commissioner of Police and Deputy Commissioner of Police. |
| Each Division of Bengal excluding the suburbs of Calcutta. | The Commissioner of the Division. |
| Each district of Bengal excluding the suburbs of Calcutta. | The District Magistrate and the Superintendent of Police of the district. |
| Each subdivision of Bengal. | The Subdivisional Magistrate of the subdivision. |

No. 767P.—24th January 1942.—In exercise of the power conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Governor is pleased to direct that the powers conferred upon the Provincial Government by rule 51G

of the Defence of India Rules shall, in respect of the areas specified in column 1 below, be, subject to the control of the Provincial Government, exercised by the officers specified respectively opposite each such area in column 2 below :—

| 1 Area | 2 Officers. |
|---|---|
| The town of Calcutta as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866. | The Commissioner of Police and Deputy Commissioner of Police. |
| Each Division of Bengal excluding the suburbs of Calcutta. | The Commissioner of the Division. |
| Each district of Bengal excluding the suburbs of Calcutta. | The District Magistrate and the Superintendent of Police of the district. |
| Each subdivision of Bengal. | The Subdivisional Magistrate of the subdivision. |

No. 768P.—24th January 1942.—In exercise of the power conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Governor is pleased to direct that the powers conferred on the Central Government by rule 66 of the Defence of India Rules, which have been directed to be exercised by the Provincial Government by

orders issued under Government of India, Defence Co-ordination Department, notification No. 896-SM/41, dated the 27th December 1941, shall be exercisable by the Commissioner of Police, Calcutta, Deputy Commissioners of Police, Commissioners of Divisions, District Magistrates, Superintendents of Police and Subdivisional Magistrates.

No. 769P.—24th January 1942.—In exercise of the power conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Governor is pleased to direct that the powers conferred upon the Provincial Government by rule 83 of the

Defence of India Rules shall, in respect of the areas specified in column 1 below, be, subject to the control of the Provincial Government, exercised by the officers specified respectively opposite each such area in column 2 below :—

| 1 Area. | 2 Officers. |
|---|---|
| The town of Calcutta as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866. | The Commissioner of Police and Deputy Commissioner of Police. |
| Each Division of Bengal excluding suburbs of Calcutta. | The Commissioner of the Division. |
| Each district of Bengal excluding the suburbs of Calcutta. | The District Magistrate and the Superintendent of Police of the district. |
| Each subdivision of Bengal. | The Subdivisional Magistrate of the subdivision. |

By order of the Governor,

E. N. BLANDY,
Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

Published by Authority

TUESDAY, JANUARY 27, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Constitution and Elections.

NOTIFICATIONS.

No. 138A.R.—27th January 1942.—It is hereby notified that Mr. W. C. Patton has, by writing under his hand addressed to His Excellency the Governor, resigned his seat as a member of the Bengal Legislative Assembly for the Darjeeling European Constituency in the afternoon of the 31st December 1941.

No. 139A.R.—27th January 1942.—In exercise of the power conferred by sub-paragraph (1) of paragraph 20 of Part I of the Government of India (Provincial Legislative Assemblies) Order, 1936, read with sub-rule (1) of rule 121 of the Bengal Legislative Assembly Electoral (Conduct of Elections) Rules, 1936, the Governor is pleased to fix

the 23rd March 1942 as the date before which the Darjeeling European Constituency of the Bengal Legislative Assembly shall elect a member to fill the vacancy caused by the resignation of Mr. W. C. Patton, a member elected for the said constituency, when the said constituency is called upon to do so under the said sub-rule.

No. 140A.R.—27th January 1942.—Whereas a vacancy has been caused by the resignation of Mr. W. C. Patton of his seat as a member for the Darjeeling European Constituency of the Bengal Legislative Assembly:

Now, therefore, in exercise of the power conferred by sub-rule (1) of rule 121 of the Bengal Legislative Assembly Electoral (Conduct of Elections) Rules, 1936, the Governor is hereby pleased to call upon the said Darjeeling European Constituency to elect a person for the purpose of filling the vacancy so caused before the 23rd March 1942, which is the date fixed in that behalf by the Governor under notification No. 139A.R., dated the 27th January 1942.

No. 141A.R.—27th January 1942.—In exercise of the power conferred by sub-rule (2) of rule 4 of the Bengal Legislative Assembly Electoral (Conduct of Elections) Rules, 1936, the Governor is hereby pleased to publish the following dates fixed by him under sub-paragraph (1) of paragraph 20 of Part I of the Government of India (Provincial Legislative Assemblies) Order, 1936, read with clauses (a), (b) and (c) of sub-rule (2) of the said rule for the doing of acts, in connection with the by-election to be held in the Darjeeling European Constituency of the Bengal Legislative Assembly in pursuance of notification No. 140A.R., dated the 27th January 1942,

mentioned respectively opposite each such date:—

Date on or before which nominations of candidates are to be made—3rd February 1942.

Date on which scrutiny of nominations is to be held—6th February 1942.

Date on or before which candidatures may be withdrawn—7th February 1942.

By order of the Governor,

J. L. LLEWELLYN,

Addl. Dy. Secy. to the Govt. of Bengal.



The Calcutta Gazette

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MONDAY, FEBRUARY 9, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Constitution and Elections.

NOTIFICATIONS.

No. 212A.R. — 9th February 1942.—In exercise of the power conferred by sub-paragraph (1) of paragraph 20 of Part I of the Government of India (Provincial Legislative Assemblies) Order, 1936, read with sub-rule (1) of rule 121 of the Bengal Legislative Assembly Electoral (Conduct of Elections) Rules, 1936, the Governor is pleased to fix the 21st April 1942 as the date before which the Nator Muhammadan (Rural) Constituency of the Bengal Legislative Assembly shall elect a member to fill the vacancy caused by the death of Mr. Ashraf Ali Khan Choudhury, the member elected for the said constituency, when the said constituency is called upon to do so under the said sub-rule.

No. 213A.R.—9th February 1942.—Whereas a vacancy has been caused by the death of Mr. Ashraf Ali Khan Choudhury in the seat of the member for the Nator Muhammadan (Rural) Constituency of the Bengal Legislative Assembly:

Now, therefore, in exercise of the power conferred by sub-rule (1) of rule 121 of the Bengal Legislative Assembly Electoral (Conduct of Elections) Rules, 1936, the Governor is hereby pleased to call upon the

said Nator Muhammadan (Rural) Constituency to elect a person for the purpose of filling the vacancy so caused before the 21st April 1942, which is the date fixed in that behalf by the Governor under notification No. 212A.R., dated the 9th February 1942.

No. 214A.R. — 9th February 1942.—In exercise of the power conferred by sub-rule (2) of rule 4 of the Bengal Legislative Assembly Electoral (Conduct of Elections) Rules, 1936, the Governor is hereby pleased to publish the following dates fixed by him under sub-paragraph (1) of paragraph 20 of Part I of the Government of India (Provincial Legislative Assemblies) Order, 1936, read with clauses (a), (b) and (c) of sub-rule (2) of the said rule for the doing of acts, in connection with the by-election to be held in the Nator Muhammadan (Rural) Constituency of the Bengal Legislative Assembly in pursuance of notification No. 213A.R., dated the 9th February 1942, mentioned respectively opposite each such date:—

Date on or before which nominations of candidates are to be made—21st February 1942.

Date on which scrutiny of nominations is to be held—26th February 1942.

Date on or before which candidatures may be withdrawn—27th February 1942.

By order of the Governor,

J. L. LLEWELLYN.

Addl. Dy. Secy. to the Govt. of Bengal.



The Calcutta Gazette

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TUESDAY, FEBRUARY 10, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Defence.

NOTIFICATION.

No. 1380P.—10th February 1942.—In exercise of the powers conferred by sub-rule (1) of rule 52 of the Defence of India Rules, the Governor is pleased to make the following order, namely:—

Order.

1. Save as otherwise hereinafter provided this order shall come into force at once.

2. No electric light or light brighter than the light which is emitted from an ordinary hurricane lamp shall be used inside any building unless it is so placed or so screened that no direct or reflected ray of light or glare emanating from it is visible from any angle outside the building:

Provided that the District Magistrate or any person authorised by the District Magistrate in this behalf may, if it appears necessary in the public interest, exempt, subject to such conditions as may appear to him to be necessary and proper, any light or lights inside any building from the operation of the provisions of this paragraph.

3. No electric light or light brighter than the light which is emitted from an ordinary hurricane lamp, whether intended for decoration or advertisement or for any other purpose, shall, subject to the provisions of

paragraphs 4 and 5 of this order, be used or exhibited on the outside of any building or structure of any kind or any post or tree or on or over any land:

Provided that the District Magistrate or any person authorised by the District Magistrate in this behalf, may, if it appears necessary in the public interest, exempt, subject to such conditions as may appear to him to be necessary and proper, any light or lights on the outside of any building or structure or on any post or tree or on or over any land from the operation of the provisions of this paragraph.

4. The electric light or light brighter than the light which is emitted from an ordinary hurricane lamp used for the public lighting of all roads, streets and public places may continue, but shall be reduced to the minimum compatible with the safety of the public using such roads, streets and public places and the traffic thereon, and such reduction shall be effected by the authorities responsible for such lighting in the manner required by and to the satisfaction of such officer or officers as may be appointed in this behalf by the District Magistrate.

5. The light from an electric torch may be displayed in the open if the light from such torch is always directed downwards and if the light from such torch is obscured by covering the glass through which light is emitted by one sheet of newspaper or with a layer of equivalent opacity of any other material:

Provided that the District Magistrate may if it appears necessary in the public interest exempt, subject to such conditions as may

appear to him to be necessary and proper, an electric torch used by a police officer in uniform from the operation of the provisions of this paragraph.

6. Subject to the provisions of paragraph 5 no lamp which emits a light brighter than that emanating from an ordinary hurricane lamp shall be carried by hand or otherwise in the open by any person and the light emitted by such lamp shall be so screened and the lamp shall be so used as not to enable any direct ray of light to emerge otherwise than in a horizontal or downwards direction.

7. (1) Subject to the provisions of sub-paragraph (2) of this paragraph, the lamps fitted on all motor vehicles shall at all times possess the following arrangements for the obscuration of the light which may be emitted by such lamps:

(a) in the case of—

(i) the off side head lamp or a single head lamp, the lamps shall be fitted with a mask or cowl of a type to be approved in this behalf by the Provincial Government:

Provided that the provisions of this sub-clause shall have effect from the date to be notified by the Provincial Government and that in the meantime such off side head lamp or single head lamp as are not fitted with an approved mask shall be obscured by a single sheet of thin brown paper and a second sheet shall be superimposed over the top half of the glass;

(ii) the near side head lamp, the glass thereof shall be rendered opaque and the bulb thereof shall be removed:

Provided that if the head lamp is such that it contains the near side light or its equivalent fitted therein the electric wiring of such head lamp shall be so altered that only the said side light, or the lower intensity bulb of such head lamp, can be used, and in such case it shall be necessary to render opaque only so much of the glass of the head lamp as is not necessary to permit the emission of light from the said side light or its equivalent;

(iii) side lights, stop lights and rear lights, the whole of the glass through which the light is emitted shall be covered by a single sheet of newspaper and any translucent or transparent side, rear or top panels shall be completely obscured. All panels in the rear lamp, other than the obligatory red lamp and any stop light, shall be completely obscured;

(b) in the case of foglights, passlights, spot-lights and any type of lamp other than those referred to in clause (a) of this sub-paragraph, the bulb thereof shall be removed and the glass thereof shall be rendered opaque;

(c) in the case of direction indicators the translucent illuminated sides thereof shall be treated in such a manner as to prevent any light being emitted from either such side except through an arrow shaped aperture none of the parts of which shall exceed one-eighth of an inch in width.

(2) The provisions of sub-paragraph (1) of this paragraph shall apply to the motor vehicles belonging to police officers, Air Raid Precautions personnel or other persons authorised in this behalf by the District Magistrate except that the near side head lamp of such vehicles shall be masked in the manner approved by the Provincial Government.

(3) Notwithstanding anything contained in sub-paragraphs (1) and (2) of this paragraph the District Magistrate may by general or special order in writing in his discretion permit one unobscured light of a type approved by him in this behalf to be used on any motor vehicle which is the property of the Crown whilst such vehicle is on official police duty, or on any motor vehicle used for the purpose of Fire Brigade or ambulance work.

(4) No light other than a white light shall be used in front of a motor vehicle except under a general or special order of the District Magistrate.

8. No lamp emitting a light brighter than that emitted by an ordinary hurricane lamp or a lamp ordinarily used on horse drawn carriages or bullock carts shall be used on any vehicle (including a bicycle) other than a motor vehicle and the light emitted by such lamp shall be so screened as not to enable any direct ray of light to emerge otherwise than in a horizontal or downwards direction.

9. Lights inside any vehicle during the hours of darkness shall be so arranged, screened or obscured as not to enable any direct ray of light or glare to emerge otherwise than in a downwards direction.

10. No motor vehicle shall be used unless the following requirements are complied with, namely:—

(a) in the case of motor vehicles other than motor cycles the bumpers, the outer sides of mudguards (if any) for a width of two inches from the edges thereof, and the outer edges of the running boards shall be painted with white matt paint:

Provided that if a motor vehicle has no bumpers a strip of wood about three inches wide by three-eighths of an inch thick and as long as the overall width of the vehicle shall be firmly fastened to the back and the front of such motor vehicle in the places in which bumpers would normally be fixed, and these strips of wood shall be painted with matt white paint;

(b) in the case of a motor cycle the rear mudguard shall be painted with matt white paint for a distance of twelve inches from the rear tip thereof and if the motor cycle has a side car attached the outer side of the mudguard of the side car shall be also so painted.

11. The Chief Inspector of Factories, Bengal, any Inspector of Factories, Bengal, any police officer or any person empowered in this behalf by the District Magistrate may direct any person to dim, screen or obscure any light used inside or on any building or on any structure of any kind or on any post or tree or on or over any land or on or inside any vehicle or carried by hand or otherwise so as to comply with the provisions of this order and such direction may require such person to remove or extinguish such light if in the opinion of such officer such light does not comply with the provisions of this order.

12. If any person contravenes any of the provisions of this order he shall be punishable

with imprisonment for a term which may extend to six months or with fine or with both.

13. This order shall apply to all areas to which the orders published under notifications No. 3144P., dated the 8th May 1941, No. 3818-P., dated the 26th May 1941, and No. 9557-P., dated the 13th December 1941, do not apply but the provisions of paragraphs 2 to 6 of this order and the provision of paragraph 11 thereof in so far as it does not relate to light used on or inside any vehicle shall not apply to those areas to which the order published under notification No. 7036P., dated the 28th October 1941, applies and this order shall not apply to those military areas which may be notified from time to time or to the operational lighting on Railways.

By order of the Governor,

E. N. BLANDY,

Secy. to the Govt. of Bengal.



The Calcutta Gazette

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SATURDAY, FEBRUARY 11, 1942

PART IV B

Bills introduced in the Bengal Legislative Council; Reports of Select Committees presented or to be presented to that Council; and Bills published before introduction in that Council.

GOVERNMENT OF BENGAL

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 1691L. 13th February 1942. The Governor having been pleased to order, under rule 48 of the Bengal Legislative Council Procedure Rules, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information.

THE BENGAL NON-AGRICULTURAL TENANCY (TEMPORARY PROVISIONS) EXTENDING BILL, 1942.

**A
BILL**

to extend the operation of the Bengal Non-agricultural Tenancy (Temporary Provisions) Act, 1940.

WHEREAS it is expedient to extend the operation of the Bengal Non-agricultural Tenancy (Temporary Provisions) Act, 1940; Ben. Act IX of 1940

It is hereby enacted as follows :

- Short title. **1.** This Act may be called the Bengal Non-agricultural Tenancy (Temporary Provisions) Extending Act, 1942.
- Amendment of section 1 of Bengal Act IX of 1940. **2.** In sub-section (3) of section 1 of the Bengal Non-agricultural Tenancy (Temporary Provisions) Act, 1940, for the words "two years" the words "three years" shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

The period of operation of the Bengal Non-agricultural Tenancy (Temporary Provisions) Act, 1940, will expire on the 29th May, 1942. The present Bill seeks to extend its operation for one year more pending the introduction of permanent and more comprehensive legislation on the subject.

ABDUL KARIM,
Member-in-charge.

The 12th February, 1942.

By order of the Governor,
G. M. RATCLIFF,
Secy. to the Govt. of Bengal.



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SATURDAY, FEBRUARY 14, 1942

PART I

**Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.**

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Constitution and Elections.

NOTIFICATION.

No. 245A.R.—14th February 1942.—In exercise of the power conferred by sub-rule (2) of rule 5 of the Bengal Legislative Assembly Procedure Rules, the Governor is pleased to fix the 23rd February 1942 as the date for the holding of the election of a Deputy Speaker of the Bengal Legislative Assembly in place of Mr. Ashraf Ali Khan Choudhury, M.L.A., deceased.

2. This cancels notification No. 189A.R., dated the 2nd February 1942.

By order of the Governor,

J. L. LLEWELLYN,

Addl. Dy. Secy. to the Govt. of Bengal.



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PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Constitution and Elections.

NOTIFICATION.

No. 249A.R.—16th February 1942.—In exercise of the power conferred by sub-rule (2) of rule 5 of the Bengal Legislative Assembly Procedure Rules, the Governor is pleased to fix the 18th February 1942 as the date for the holding of the election of a Deputy Speaker of the Bengal Legislative Assembly in place of Mr. Ashraf Ali Khan Choudhury, M.L.A., deceased.

2. This cancels notification No. 245A.R., dated the 14th February 1942.

By order of the Governor,

J. L. LLEWELLYN,

Addl. Dy. Secy. to the Govt. of Bengal.



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FRIDAY, FEBRUARY 20, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Political.

NOTIFICATION.

No. 1746P.—20th February 1942.—In exercise of the powers conferred by rule 51B of the Defence of India Rules the Governor is pleased to make the following order, namely:—

Order.

1. This order shall come into force on 25th February 1942.

2. In this order, unless there is anything repugnant in the subject or context,—

(a) “separate building” means—

(i) a building which is constructed as a building entirely separate from and independent of any other building, or

(ii) when a building so constructed is divided vertically into two or more parts each of which is owned or occupied separately from and independently of the other part or parts, each part of such building;

(b) the expressions “building”, “occupier” and “owner” have

(i) in areas where the Calcutta Municipal Act, 1923, is in force the same meanings as in that Act,

(ii) elsewhere, the same meanings, as in the Bengal Municipal Act, 1932.

3. (1) There shall be provided by the persons specified in paragraph 4 of this order:—

(a) in respect of every 8,000 square feet or part thereof of roof area of every separate building six gallons of water in buckets or other containers and two sandbags two-thirds filled with sand;

(b) in respect of every 8,000 square feet or part thereof of any yard, garden or other areas not occupied by buildings, excepting any public road, street or place, four sandbags two-thirds filled with sand.

(2) The said sandbags and water are to be kept in easily accessible positions within the areas for which they are provided and are, when provided in respect of the roof area of such building, to be kept in the case of a building containing more than one storey, on the top floor of such building, and in the case of a one-storied building on the ground floor of such building.

(3) The size of the sandbags referred to in this paragraph shall be as nearly as possible sixteen inches long by thirteen inches wide.

4. It shall be the duty of the persons specified below in this paragraph to take the action prescribed in paragraph 3 of this order:—

(a) in the case of each separate building which is a public building, shop, office or other place of business and any yard, garden or other open area appertaining to such building, the occupier or occupiers of such building;

(b) in the case of each separate building which is a dwelling house and any yard, garden or other open area appertaining to such building—

(i) where the total monthly income of the occupier of such building is more than thirty rupees, such occupier;

Provided that where in any one such building there is more than one such occupier, the owner or owners of such building shall be responsible for complying with the provisions of paragraph 3 of this order, and if such owner or owners do not so comply the said occupier or occupiers shall themselves carry out the said provisions and in such case it shall be lawful for the said occupier or occupiers to deduct the amount of the necessary cost from any rent which may be due from them to such owner or owners;

(ii) where the total monthly income of the occupier of such building is equal to or less than thirty rupees, the employer of such occupier, and if there is no employer, the owner of such building;

Provided that where in any one such building there is more than one such occupier and the said occupiers have severally more than one employer, all the employers of such occupiers shall be jointly responsible for the compliance with the provisions of paragraph 3 of this order;

(c) in the case of each separate building which is partly a public building, shop, office or other place of business and partly a dwelling house, and any yard, garden or other open area appertaining to such building, the owner or owners of such building.

5. This order shall apply to the following areas, but shall not apply to factories within the meaning of clause (j) of section 2 of the Factories Act, 1934 (XXV of 1934), railways as defined in clause (4) of section 3 of the Indian Railways Act, 1890 (IX of 1890), the Ports of Calcutta and Chittagong as defined by notification under section 5 of the Indian Ports Act, 1908 (XV of 1908), and those military areas which have been or may hereafter be notified in the *Calcutta Gazette*:—

(1) the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, the whole

of the Barrackpore subdivision, the Tollygunge, Behala, Metiabruz, Maheshtolla and Budge Budge police-stations in the district of 24-Parganas, the Magra, Chinsurah, Bhadreswar, Serampore and Uttarpara police-stations in the district of Hooghly, the Uluberia, Bawria, Sankrail, Howrah, Golabari, Sibpur, Bally, Malipanchghara, Jagachā and Bantra police-stations in the district of Howrah;

(2) the whole of Chittagong (Kotwali). Double Moorings and Panchalaish police-stations in the district of Chittagong.

(3) *Burdwan.*

The Burdwan town within the boundaries specified below:—

Northern boundary—Commencing from municipal western boundary line along Lakhurdi Road up to Bijoy Chand Road junction, then along Golpukur Road, Kristosagar South Outer Road and Dhobapara Road up to north-east corner of Kristosagar and then along Aftab Avenue up to main drain and then along main drain up to municipal northern boundary line up to municipal pillar on Rayan Road.

Eastern boundary—Along municipal eastern boundary line up to Railway Bridge over Banka.

Southern boundary—Then along Banka railway southern boundary and Kalna Road up to Kalibazar Road junction and along Kalibazar Road up to Banka near Kalibazar Kuthi, then along Banka up to Birhatta Bridge, along Sadarghat Road up to Eden Canal, then along Eden Canal up to Tejganj Road junction and along Tejganj Road, Rathtola Road up to Mahantar Ghat Bridge, then along Banka up to western municipal boundary.

Western boundary—Along municipal western boundary up to junction of Lakhurdi Road.

(4) *Darjeeling.*

The whole of the Darjeeling Municipality within the police-station of Sudder and part of Jorebunglow in the district of Darjeeling.

(5) *Khulna.*

The area within the limits of the Khulna Municipality in the district of Khulna.

(6) *Kharagpur.*

The area known as the suburbs of Kharagpur comprising the mauzas of (1) Jeghari, (2) Rajgram, (3) Srikristopur, (4) Debalpore, (5) Panchberia, (6) Inda, (7) Sanjal, (8) Ragharpore-Darbeshchak, (9) Belgiri, (10) Kansalya, (11) Bulbulchati, (12) Gaikata, (13) Kasai-kata, (14) Taljulee, (15) Mripore, (16) Sonamukhi (Sonamukhi, Hijli, Baratengra), (17) Tentichati, (18) Mathura Kati Khasjungel (Aima), (19) Kharida, (20) Bhabanipore, (21) Nimgeriapatna, (22) Bhagabanpore, (23) Khidirpore, (24) Dhekia, (25) Niranjanbar, (26) Govindapore, (27) Chandipore, (28) Kharagpur Khasjungel, and (29) Malancha within the police-station of Kharagpur, in the district of Midnapore.

(7) Chandpur.

The Chandpur municipal area within the boundaries specified below:—

North—The northern boundary of the Assam-Bengal Railway land in Koralia. Sriramdi Jungal, from its north-western corner to the north of the house of Miajan in Bishnupur.

East—The eastern boundaries of the houses of Miajan Datigoo, Haniff Soyal, Osman, Dengoo, Ranja Gazi, Tazamaddin, Bailar Khan and Nar Baksha up to culvert No. 2 on the railway road, and thence the eastern boundaries of the houses of Jaman Khan, Alabaksha, Hanif and of the Charabari of Kukuri Shah, houses of Bailar Khan, Dengoo Soyal, Govinda Dhupee, Govinda Shah and Jamiruddin up to the Bagadi Ferry.

South—The northern boundaries of the villages of Ichali, Raghoonathpur and Jafra-bad and the Napitbari khal.

West—The western boundaries of Hari Paddar's house on the north bank of the Napitbari khal, the khal from the western head of Sriramdi Road to the Meghna river and the Meghna river.

(8) Mymensingh.

The whole of the Mymensingh Municipality within the Kotwali police-station in the Mymensingh district.

(9) Asansol.

Asansol Municipality within the police-station of Asansol, Burnpur town as defined for census purposes together with the villages of Hirapur and Santa within the police-station of Asansol and Kulti town as defined for census purposes within the police-station of Kulti in the district of Burdwan.

(10) Raniganj.

The police-station of Raniganj in the district of Burdwan.

(11) Dacca.

The whole of the police-stations of Sutrapur, Kotwali and Lalbagh and a small area in Keraniganj police-station opposite Dacca town.

(12) Narayanganj.

The Narayanganj municipal area comprising the mahallas of Madanganj, Bandar, Ekrampur, Nobiganj, Hajiganj, Khanpur, Chasara, Kalirbazar, Tanbazar, Nitaiganj, Bhagabanganj, Sitalakshya, Paikpara, Baburiel, Deobhog, Galachipa, Nalua, Bangshal, Mokarba, Lakhyarchar and Sonakanda in the district of Dacca.

(13) Ondal.

The area comprising the Ondal Bazar North and Ondal Bazar South within police-station Ondal in the district of Burdwan.

(14) Barakar.

The area within the boundaries specified below:—

Northern boundary—Mauza Balitora.

Eastern boundary—Mauzas Kendua and Raydi.

Southern boundary—Mauzas Chungari and Mahatadi.

Western boundary—Barakar river.

By order of the Governor,

J. R. BLAIR,

Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

Published by Authority

SATURDAY, MARCH 21, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Political.

NOTIFICATIONS.

No. 2969P.—21st March 1942.—In exercise of the power conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Governor is pleased to direct that the powers conferred upon the Provincial Government by sub-rule (5) of rule 26 of the Defence of India Rules shall, in respect of persons to be detained in the districts of Chittagong, Tippera and Noakhali be, subject to the control of the Provincial Government, exercised by the District Magistrate of Chittagong, Tippera and Noakhali, respectively.

No. 2970P.—21st March 1942.—In exercise of the power conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Governor is pleased to direct that the powers and duties conferred and imposed on the Provincial Government by sub-rule (2) of rule 129 of the Defence of India Rules shall, in respect of persons arrested in pursuance of sub-rule (1) of the said rule within the districts of Chittagong, Tippera and Noakhali be, subject to the control of the Provincial Government, exercised by the District Magistrate of Chittagong, Tippera and Noakhali, respectively.

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.



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SATURDAY, MARCH 21, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Political.

NOTIFICATIONS.

No. 2969P.—21st March 1942.—In exercise of the power conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Governor is pleased to direct that the powers conferred upon the Provincial Government by sub-rule (5) of rule 26 of the Defence of India Rules shall, in respect of persons to be detained in the districts of Chittagong, Tippera and Noakhali be, subject to the control of the Provincial Government, exercised by the District Magistrate of Chittagong, Tippera and Noakhali, respectively.

No. 2970P.—21st March 1942.—In exercise of the power conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Governor is pleased to direct that the powers and duties conferred and imposed on the Provincial Government by sub-rule (2) of rule 129 of the Defence of India Rules shall, in respect of persons arrested in pursuance of sub-rule (1) of the said rule within the districts of Chittagong, Tippera and Noakhali be, subject to the control of the Provincial Government, exercised by the District Magistrate of Chittagong, Tippera and Noakhali, respectively.

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.



The Calcutta Gazette

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MONDAY, MARCH 23, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL.

Home Department.

Press.

ORDER.

To

ALL PRINTERS, PUBLISHERS AND EDITORS.

No. 34Pr.—23rd March 1942— In exercise of the power conferred by clause (b) of sub-rule (1) of rule 41 of the Defence of India Rules, the Governor is pleased to prohibit the printing or publishing within the Province of Bengal of any newspaper in which, except in the case of the name or title of such publication and any matter printed or published therein exclusively for the purposes of advertisement,

(a) any type larger, or a face heavier than that of the specimens shown in the annexed Schedule, or

(b) any line of continuous type wider than four and a half inches is used.

Explanation.—“Newspaper” means a newspaper or news-sheet as defined in section 2 of the Indian Press (Emergency Powers) Act, 1931 (XXIII of 1931).

SCHEDULE.

1. English—

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2. Bengali—

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 সংবাদপত্রে ব্যবহৃত হেড লাইন টাইপের নমুনা
 সংবাদপত্রে ব্যবহৃত হেড লাইন টাইপের নমুনা

3. Hindi—

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4. Urdu—

سُرخِیوں میں استعمال کرنے کے لیے حُرُوف کا نمونہ
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By order of the Governor,

A. E. PORTER,

Additional Secretary to the

Government of Bengal.



The Calcutta Gazette

Extraordinary

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MONDAY, MARCH 23, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

DEPARTMENT OF PUBLIC HEALTH AND LOCAL SELF-GOVERNMENT.

Municipal.

—
RESOLUTION No. 709M.
—

Calcutta, the 23rd March 1942.

In December 1940, a representation was submitted to Government by some residents of the Bhatpara Municipality containing certain allegations of mal-administration against the Municipal Commissioners and it was directed by Government that an enquiry should be made into the allegations and that a report should be submitted to Government. Accordingly the Subdivisional Officer, Barrackpore, inspected the municipality in January 1941 and his note of inspection disclosed a very unsatisfactory state of affairs in the municipality and revealed several instances of mal-administration and irregularities in the accounts of the municipality.

2. The audit report for the year 1938-39 also revealed various irregularities, both of omission and commission, in the municipal administration. This report was received in the Municipal Office on the 31st July 1940 and, according to rule 22 of the Municipal Account Rules, a special meeting of the

Municipal Commissioners should have been called as soon as possible thereafter to consider the report and to decide upon the action to be taken. The special meeting was not, however, convened till the 30th September 1940, and even then only one hour's time was allowed for the consideration of the report, with the result that the meeting had to be postponed even before the first item could be fully discussed. The adjourned meeting was held on the 12th October 1940, in the middle of the Puja vacation and was attended by only 8 out of the 19 Commissioners of the municipality. The manner in which the audit report was dealt with at this meeting was unsatisfactory and the Municipal Commissioners do not appear to have made any serious attempt to meet the main criticisms of the auditor.

3. In view of the state of affairs as revealed in the inspection note of the Subdivisional Officer and the audit report mentioned above, Government considered that there were grounds for holding that the Municipal Commissioners of Bhatpara had shown their incompetency to perform the duties imposed on them by law and in some cases had exceeded and abused their powers. But before taking any action under section 553 of the Bengal Municipal Act, Government in their order No. 1569M., dated the 18th August 1941, asked the Commissioners of the Bhatpara Municipality to submit their explanations, within two months from the date of receipt of the order, with regard to the various irregularities pointed out in the audit reports for the years 1938-39 and 1939-40 as well as the

following charges brought against them in the note of inspection of the Subdivisional Officer, Barrackpore : —

- (1) The cash balance of the municipality which was Rs. 98,409 on the 31st March 1939 and Rs. 98,573 on the 31st March 1940, was reduced to Rs. 20,093 at the close of the half-year ending September 1940 and on the 2nd January 1941 it had dropped to Rs. 6,917 only.
- (2) The work of the Assessment Review Committee was far from satisfactory. In many cases, the Committee arbitrarily reduced the valuation made by the assessor without assigning any reason. Much of the good work done by the assessor was thus nullified and the municipality was deprived of a considerable increase of revenue.
- (3) In several instances, payment was made to the contractors on the strength of bills which bore no signature of the Ward Commissioner in token of completion of the work and no signature or dated signature of the Engineer to show that the work had been measured. This naturally gave rise to a suspicion that either the work had not been at all examined before payment was made or the Engineer or the Overseer concerned found himself unable conscientiously to certify that it had been completed according to the specifications.
- (4) The Municipal Executive appeared to have paid very little attention to economy or the efficient administration of the municipality. New posts were created and salaries and allowances increased without sufficient justification and furniture, cycles and rain-coats were supplied to the municipal employees without any proper sanction.
- (5) The affairs of the Municipal Dispensary were grossly mismanaged by the Dispensary Committee which is composed entirely of Municipal Commissioners. The Committee, which seemed to run the dispensary according to its own will without any reference to the Dispensary Rules prescribed by Government, did not even meet regularly and seldom passed the monthly accounts. The minutes of the Committee were not recorded regularly and no cash book was maintained, all the accounting being done in the general department of the Municipal Office.
- (6) The Annual Administration Reports of the municipality for the years 1938-39 and 1939-40 were not submitted by the due dates and no revised budget was framed for the year 1939-40, although heavy excess expenditure was incurred on several heads to which sanction was given by the Municipal Commissioners at their meeting held on the 29th March 1940.

4. Government have given their most careful consideration to the explanations submitted

by the Municipal Commissioners which are in most cases very unsatisfactory. No serious attempt has been made to explain the principal charges against the Municipal Commissioners, viz., their mismanagement of the municipal finances, their failure to maintain the cash balance and the payments to contractors for work not certified as completed or measured. The explanations given regarding the charge of neglect of audit notes are evasive; and the failure of the Municipal Commissioners to keep a proper record of the payments made on the occasion of the sweepers' strike of 1938 has not also been explained to the satisfaction of Government. All these and several other irregularities mentioned in the inspection note of the Subdivisional Officer of Barrackpore and in the audit reports for the year 1938-39 and 1939-40 show a lack of supervision and complete disregard of the law and the rules in the conduct of municipal business in general and in the maintenance of municipal accounts in particular.

5. Further, in Government order No. 1499-M., dated the 11th August 1941, the Commissioners of the municipality were directed under section 67(1) (ii) of the Bengal Municipal Act, 1932, to appoint an Executive Officer of the municipality at a very early date, with necessary sanction of Government. The Municipal Commissioners at their meeting held on the 3rd September 1941, passed a resolution to the effect that no Executive Officer should be appointed, without assigning any reasons whatsoever. Government were advised that the Municipal Commissioners had no discretion to decline to appoint an Executive Officer after the issue of a requisition under section 67(1) (ii) and that they had, therefore, exceeded their powers under the law by purporting to decline to appoint an Executive Officer. In Government order No. 2208-M., dated the 1st December 1941, the Municipal Commissioners were accordingly asked to show cause why they should not be superseded on this ground as well.

6. The Commissioners of the Bhatpara Municipality have since decided to appoint an Executive Officer but they do not appear to have taken any effective steps as yet to implement that decision.

7. After a very careful consideration of the whole matter, Government have come to the conclusion that the Commissioners of the Bhatpara Municipality have shown their incompetency to perform, and have persistently made default in the performance of, the duties imposed on them by or under the Bengal Municipal Act, 1932. In exercise of the power conferred by section 553 of the said Act, Government are accordingly pleased to declare the Commissioners of the Bhatpara Municipality to be incompetent and in default and to supersede the said Commissioners for a period of one year with effect from the date of publication of this resolution in the *Calcutta Gazette*.

8. Ordered that this resolution be published in the *Calcutta Gazette*.

By order of the Governor,

T. I. M. NURANNABI, CHAUDHURI,
Secy. to the Govt. of Bengal.

GOVERNMENT OF BENGAL
DEPARTMENT OF PUBLIC HEALTH AND
LOCAL SELF-GOVERNMENT.

Municipal.

NOTIFICATION.

No. 710M.—23rd March 1942.—In exercise of the power conferred by clause (b) of subsection (1) of section 554 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to direct that the Sub-divisional Officer of Barrackpore shall exercise and perform, in addition to his own duties, all the powers and duties which may under the provisions of the said Act or any rule or by-law made thereunder be exercised and performed by the Chairman and by the Commissioners, whether at a meeting or otherwise, of the Bhatpara Municipality, which has been superseded by a resolution No. 709M., dated the 23rd March 1942, during the period of such supersession.

By order of the Governor,

T. I. M. NURANSABI CHAUDHURI,
Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

Published by Authority

MONDAY, MARCH 23, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Police.

NOTIFICATION.

No. 879Pl.—23rd March 1942. —In exercise of the powers conferred by sub-rule (2) of rule 89 of the Defence of India Rules the Governor is hereby pleased to make the following order:—

Present address
to be reported.

1. (a) Every owner of a motor vehicle, whose permanent address on the 25th March 1942 is different from that recorded in the certificate of registration of the vehicle, shall, on or before the 31st March 1942, report his new address to the Registering Authority of the area in which such address is situated and shall send to the said Authority the certificate of registration of the vehicle for the purpose of recording such new address. He shall also forward a copy of the report to the Registering Authority of the area in which the vehicle was originally registered.

The report referred to above shall specify the address at which the vehicle is normally kept if such address is different from that of the owner.

(b) If the owner's address on the 25th March 1942 remains the same as that recorded in the certificate of registration but his vehicle is normally kept at a different address, he shall on or before the 31st March 1942 report the address at which the vehicle is normally kept to the Registering Authority of the area in which that address is situated.

Future changes
of address to be
reported.

2. Where the owner of a motor vehicle changes his permanent address after the 25th March 1942, he shall within 24 hours of the change report his new address to the Registering Authority of the area in which such address is situated and shall send to the said Authority the certificate of registration of the vehicle for the purpose of recording such change of address. He shall also forward a copy of the report to the Registering Authority of the area in which the vehicle was originally registered.

The report referred to above shall specify the address at which the vehicle is normally kept if such address is different from that of the owner.

Movements of
vehicles beyond
nine days to be
reported.

3. (a) If a motor vehicle is, after the 25th March 1942, removed from the address at which it is normally kept, the owner shall immediately report its removal to the Registering Authority of the area in which such address is situated, and shall give a statement showing the probable movements of the vehicle and the probable date of its return:

Provided that no report need be sent under this clause if it is reasonably certain that the vehicle will return to its normal address within ten days.

(b) If an owner who has not sent a report in view of the proviso to sub-clause (a), finds that owing to unforeseen circumstances the vehicle will not return to the address at which it is normally kept within ten days, he shall, not later than the tenth day of its removal from such address, report the removal to the Registering Authority of the area in which such address is situated together with a statement showing the probable movements of the vehicle and the probable date of its return.

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.



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Published by Authority

TUESDAY, MARCH 31, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

DEPARTMENT OF PUBLIC HEALTH
AND LOCAL SELF-GOVERNMENT.

Municipal.

NOTIFICATION.

No. 752M.—31st March 1942.—In exercise of the power conferred by clause (b) of section 5 of the Calcutta Municipal Act, 1923 (Bengal Act III of 1923), the Governor is pleased to appoint the following to be Councillors of the Corporation of Calcutta:—

- (1) Mr. Hemendra Prosad Ghosh.
- (2) Major P. Bardhan, M.B., F.R.C.P.,
F.R.C.S., I.M.S. (Retd.).
- (3) Khan Sahib Wahiduszaman, B.L.
- (4) Mr. Mohammad Gulzar.
- (5) Mr. Hemanta Kumar Mukherji.
- (6) Mr. Surendra Nath Das, M.A.
- (7) Mr. B. M. Mandal, Barrister-at-Law.
- (8) Mr. Bhabesh Chandra Das.

2. Under section 39 of the said Act, the Governor is further pleased to direct that these Councillors shall hold office up to the 31st March 1943.

By order of the Governor,

T. I. M. NURANNABI CHAUDHURI,
Secy. to the Govt. of Bengal.



The Calcutta Gazette

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FRIDAY, APRIL 3, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Political.

NOTIFICATIONS.

No. 3529P.—3rd April 1942.—Whereas the Governor is satisfied of the existence of an emergency arising from a hostile attack on Burma and from the imminence of such an attack on Bengal;

Now, therefore, in exercise of the power conferred by sub-section (3) of section 1 of the Special Criminal Courts Ordinance, 1942

No. 3531P.—3rd April 1942.—In exercise of the power conferred by section 4 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to appoint the persons named in the

Names of Special Judges.

Mr. S. N. Guha Roy, I.C.S., District and Sessions Judge.
Mr. M. Altaf Ahmed, District and Sessions Judge.
Mr. S. K. Sen, I.C.S., District and Sessions Judge.
Mr. P. C. De, I.C.S., District and Sessions Judge.
Mr. M. H. B. Lethbridge, I.C.S., District and Sessions Judge.
Mr. S. Sen, I.C.S., District and Sessions Judge.
Mr. N. Ray Choudhury, I.C.S., District and Sessions Judge.

(Ordinance No. II of 1942), the Governor is pleased to declare the said Ordinance to be in force in the province of Bengal with effect from the date of publication of this notification in the *Calcutta Gazette*.

No. 3530P.—3rd April 1942.—In exercise of the power conferred by section 2 of the Penalties (Enhancement) Ordinance, 1942 (Ordinance No. III of 1942), the Governor is pleased to declare that sections 3 to 7 inclusive of the said Ordinance as amended by the Penalties (Enhancement) Amendment Ordinance, 1942 (Ordinance No. VII of 1942), shall have effect in the districts of Chittagong, Noakhali, Tippera, Midnapore, 24-Parganas, Khulna and Bakarganj.

first column of the table below to be Special Judges for the areas respectively specified against each such person in the second column of that table:—

Areas for which appointed.

District of Chittagong.
District of Noakhali.
District of Tippera.
District of Bakarganj.
District of 24-Parganas.
District of Midnapore.
District of Khulna.

No. 3532P.—3rd April 1942.—In exercise of the power conferred by section 9 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to invest all Magistrates of the first class in the districts of Chittagong, Noakhali,

Tippera, Bakarganj, 24-Parganas, Midnapore and Khulna who have exercised powers as such for not less than two years with the powers of a Special Magistrate under the said Ordinance.

No. 3533P.—3rd April 1942.—In exercise of the power conferred by section 15 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the Magistrates mentioned

in the first column of the table below to exercise the powers of a Summary Court in the areas respectively specified against such Magistrates in the second column of that table:—

Magistrates.

All Magistrates of the first and second class.

Areas.

The districts of Chittagong, Noakhali, Tippera, 24-Parganas, Midnapore, Khulna, and Bakarganj and subdivisions in those districts in which they may be posted for the time being.

No. 3534P.—3rd April 1942.—In exercise of the power conferred by section 10 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the District Magistrates of the districts of Chittagong, Noakhali, Tippera, Bakarganj, 24-Parganas, Midnapore and Khulna, to direct within their respective districts, by general or special order in writing which offences or classes of offences or cases or classes of cases other than offences or cases involving offences punishable under the Indian Penal Code with death shall be tried by a Special Magistrate.

No. 3535P.—3rd April 1942.—In exercise of the power conferred by section 5 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the District Magistrates of the districts of Chittagong, Noakhali, Tippera, Bakarganj, 24-Parganas, Midnapore and Khulna, to direct within their respective districts, by general or special order in writing which offences or classes of offences or cases or classes of cases shall be tried by a Special Judge.

By order of the Governor,

J. R. BLAIR,

Secy. to the Govt. of Bengal.



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MONDAY, APRIL 6, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Political.

NOTIFICATION.

No. 0001.—5th April 1942.—The following from the
“Gazette of India Extraordinary,” dated the 5th April 1942,
is published for information :—

“GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT NOTIFICATION.

No. 1330-O.R./42.—New Delhi, 5th April 1942.—In
exercise of the powers conferred by section 2, Defence of
India Act, 1939 (XXXV of 1939), the Central Government
is pleased to direct that the following further amendments
shall be made in the Defence of India Rules, namely :—

In the said Rules,—

(1) In Part II before Rule 60, the following rule should
be inserted, namely :—

Rule 59C(1) :
Power to require
vessels to leave
Ports.

Any person authorised in this behalf by the Central
Government may by order direct that any vessel at any Port
in British India shall leave the Port within such period as
may be specified in the Order, and shall proceed to such other
Port in British India by such route as may be so specified.

(2) If any order made under sub-rule (1) is contravened,
the Master of the vessel and the owner or other person
having the management thereof shall each be deemed to

have contravened the order, and shall be punishable with imprisonment for a term that may extend to 5 years, or with fine, or with both.

62(a)(a) (1) Additional measures for safety of vessels in Ports.

II. After Rule 62 (a), the following rule should be inserted, namely—

Any person authorised by the Central Government in this behalf may give directions to the owner or Master of any vessel which is for the time being at a Port in British India requiring him—

- (a) to take such steps as may be specified in the direction for the purpose of securing that, while the vessel remains at the Port, fires occurring in the vessel as a result of hostile attack will be immediately detected and combated;
- (b) to secure that while the vessel remains at the Port, either at all times, or during such periods as may be specified in the direction—
 - (i) in the case where the vessel is equipped with a gun, or other instrument or device capable of being used to defend the vessel against hostile attack, that the gun, instrument or device will be manned;
 - (ii) in the case where the vessel is propelled by mechanical power, that the vessel is capable of being moved under her power and of proceeding to sea immediately when ordered to do so;
- (c) for the purpose of taking such steps or securing such matters as aforesaid, to secure that such number of persons, or such number of persons of such class or description, as may be specified in the direction, shall be, or remain on board the vessel either at all times while the vessel remains at the Port, or during such period as may be so specified;
- (d) to do, or not to do, such other things as may appear necessary or expedient to do or not to do for the purpose of securing the safety of the vessel, or preventing the vessel from endangering other vessels or property at the Port in the event of hostile attack.

Any member of His Majesty's Forces acting in the course of his duty as such, or any other person authorised in this behalf by the Central Government, may at any time board and inspect any vessel to which any directions given under sub-rule (1) relate for the purpose of ascertaining whether the directions are being complied with.

If the owner or Master of any vessel to which any direction is given under sub-rule (1) fails to comply with such direction, he shall be punishable with imprisonment for a term which may extend to 3 years, or with fine, or with both.

III. In sub-rule (1) of Rule 62C after the words 'emergency rations' 'supplies of fuel or other stores' shall be inserted.

NOTIFICATION.

No. 1330-OR/1/42.—In exercise of the powers conferred by sub-section (4) of Section 2 of the Defence of India Act, 1939 (XXV of 1939), the Central Government is pleased to direct that the powers conferred on it by Rules 60A, 62C and 86 of the Defence of India Rules shall be exercisable also by Captain P. H. Learmont, R.I.N.

NOTIFICATION.

No. 1330-OR/2/42.—In pursuance of sub-rule (1) of Rule 62(a)(a) of the Defence of India Rules the Central Government is pleased to authorise Captain P. H. Learmont, R.I.N., to issue direction under the said rule.

D. J. D. WAKELY,

Deputy Secretary to the Government of India."

J. R. BLAIR,

Secretary to the Government of Bengal.



The Calcutta Gazette

Extraordinary

Published by Authority

FRIDAY, APRIL 10, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

DEPARTMENT OF PUBLIC HEALTH
AND LOCAL SELF-GOVERNMENT.

Local Board.

NOTIFICATION.

No. 818L.S.-G.—10th April 1942.—In exercise of the power conferred by section 36A of the Bengal Local Self-Government Act, 1885 (Bengal Act III of 1885), and with the consent of the 24-Parganas district board, the Governor is hereby pleased to abolish all local boards in the district of the 24-Parganas, with effect from the 10th April 1943.

2. This cancels notification No. 1392-L.S.-G., dated the 28th November 1940.

By order of the Governor,

T. I. M. NURANNABI CHAUDHURI,
Secy. to the Govt. of Bengal



The Calcutta Gazette

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THURSDAY, APRIL 16, 1942

PART I

**Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.**

**Office of the Secretary to His
Excellency the Governor of Bengal**

NOTIFICATIONS.

Chittagong Hill-tracts.—No. 188.—15th April 1942. —In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor is pleased to direct that the Special Criminal Courts Ordinance, 1942 (Ordinance No. 11 of 1942), shall apply to the Chittagong Hill-tracts in so far as it is not inconsistent with the Chittagong Hill-tracts Regulation, 1900 (I of 1900), or with any rules, for the time being in force thereunder, with effect from the date of publication of this notification in the *Calcutta Gazette*, subject to the following modifications, namely:—

- (1) that in sub-section (3) of section 1 of the said Ordinance—
 - (a) for the words “any Province” the words “the Chittagong Hill-tracts” shall be substituted, and
 - (b) for the word “Province” the words “said tracts” shall be substituted;
- (2) that section 2 of the said Ordinance shall be omitted;
- (3) that in section 4 of the said Ordinance for the words, brackets and figures, “for such area as it may think fit any

person who has acted for a period of not less than two years in the exercise of the powers of a Sessions Judge or an Assistant Sessions Judge under the Code of Criminal Procedure, 1898 (hereinafter in this Ordinance referred to as the Code)” the following shall be substituted, namely:—

- “for the said tracts the Commissioner of the Chittagong Division or such person being an executive officer of not less than ten years’ standing as it thinks fit”;
- (4) that in sub-section (1) of section 6 of the said Ordinance after the words “the Code” the words, brackets and figures “of Criminal Procedure, 1898 (hereinafter in this Ordinance referred to as the Code)” shall be inserted;
 - (5) that in section 8 of the said Ordinance the words “which person shall be chosen from the Judges of the High Court having jurisdiction over the area for which the Special Judge is appointed” shall be omitted;
 - (6) that in section 9 of the said Ordinance the words “Presidency Magistrate or” shall be omitted;
 - (7) that in sub-section (1) of section 13 of the said Ordinance the words “to the High Court in a Presidency-town and elsewhere” shall be omitted;

(8) that in section 16 of the said Ordinance—

(a) in sub-section (1)—

(i) the words “or in a Presidency-town the Chief Presidency Magistrate”, and

(ii) the words “or the Chief Presidency Magistrate” shall be omitted; and

(b) in sub-section (2) the words “or Chief Presidency Magistrate” shall be omitted;

(9) that in sub-section (1) of section 19 of the said Ordinance—

(a) the words “in a Presidency-town to the Chief Presidency Magistrate and elsewhere,” and

(b) the words “of the district in which the Summary Court is situated”

shall be omitted;

(10) that in sub-section (2) of section 20 of the said Ordinance the words “or in a Presidency-town to the Chief Presidency Magistrate” shall be omitted.

Chittagong Hill-tracts.—No. 19S.—15th April 1942.—Whereas the Governor is satisfied of the existence of an emergency arising from a hostile attack on Burma and from the imminence of such an attack on Bengal;

Now, therefore, in exercise of the power conferred by sub-section (3) of section 1 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to declare the said Ordinance to be in force in the Chittagong Hill-tracts with effect from the date of publication of this notification in the *Calcutta Gazette*.

Chittagong Hill-tracts.—No. 20S.—15th April 1942.—In exercise of the power conferred by section 4 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to appoint the Commissioner of the Chittagong Division to be the Special Judge for the Chittagong Hill-tracts.

Chittagong Hill-tracts.—No. 21S.—15th April 1942.—In exercise of the power conferred by section 5 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the Commissioner of the Chittagong Division to direct within the Chittagong Hill-tracts, by general or special order in writing, which offences or classes of offences or cases or classes of cases shall be tried by the Special Judge.

Chittagong Hill-tracts.—No. 22S.—15th April 1942.—In exercise of the power conferred by section 9 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to invest all Magistrates of the first class in the Chittagong Hill-tracts who have exercised powers as such for not less than two years with the powers of a Special Magistrate under the said Ordinance.

Chittagong Hill-tracts.—No. 23S.—15th April 1942.—In exercise of the power conferred by section 10 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the Deputy Commissioner of the Chittagong Hill-tracts to direct within his district, by general or special order in writing, which offences or classes of offences or cases or classes of cases other than offences or cases involving offences punishable under the Indian Penal Code with death shall be tried by a Special Magistrate.

Chittagong Hill-tracts.—No. 24S.—15th April 1942.—In exercise of the power conferred by section 15 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the Magistrates mentioned in the first column of the table below to exercise the powers of a Summary Court in the areas respectively specified against such Magistrates in the second column of that table:—

| Magistrates. | Areas. |
|--|---|
| All Magistrates of the first and second class. | The district of the Chittagong Hill-tracts and subdivisions in the district in which they may be posted for the time being. |

Chittagong Hill-tracts.—No. 25S.—15th April 1942.—In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor is pleased to direct that the Penalties (Enhancement) Ordinance, 1942 (Ordinance No. III of 1942), and the Penalties (Enhancement) Amendment Ordinance, 1942 (Ordinance No. VII of 1942), shall apply to the Chittagong Hill-tracts, with effect from the date of publication of this notification in the *Calcutta Gazette*, subject to the following modifications, namely:—

that in section 2 of the Penalties (Enhancement) Ordinance, 1942, for the words “throughout the Province or in any specified area in the Province” the words “throughout the Chittagong Hill-tracts or in any specified area therein” shall be substituted.

Chittagong Hill-tracts.—No. 26S.—15th April 1942.—In exercise of the power conferred by section 2 of the Penalties (Enhancement) Ordinance, 1942 (Ordinance No. III of 1942), the Governor is pleased to declare that sections 3 to 7 inclusive of the said Ordinance as amended by the Penalties (Enhancement) Amendment Ordinance, 1942 (Ordinance No. VII of 1942), shall have effect in the Chittagong Hill-tracts.

By order of the Governor,

M. O. CARTER,

Secretary to the Governor.



The Calcutta Gazette

Extraordinary

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MONDAY, APRIL 20, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

DEPARTMENT OF COMMERCE AND LABOUR.

Civil Defence.

ORDER.

No. 179Com.(C.D.).—18th April 1942.
Whereas it appears to the Provincial Government that it is necessary for maintaining supplies and services essential to the life of the community to regulate the distribution and disposal of certain essential commodities in Calcutta and the industrial area during the period of emergency and specially after an air raid;

Now, therefore, in exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that all shops, retail or wholesale, in the said areas dealing in or storing any of the commodities specified in the Schedule below and all godowns and stores in the said areas in which any such commodity is stored which may remain closed during an air raid shall be opened within a period of 24 hours after the "all clear" signal is given, and that if any such shops, godowns or stores remain closed after the said period, the Chief Controller of Prices, Bengal, or any officer

authorised by him in writing, in this behalf, in Calcutta, and elsewhere the District Magistrate, may, in their discretion, have such shops, godowns or stores forcibly opened take possession of the goods or stores lying therein and dispose of them in such manner as they consider expedient, the compensation for goods or stores so taken possession of, being determined by the officer taking such possession in his own discretion.

Explanation.—In this order—

(1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866; and

(2) "Industrial area" means the Sadar and Barrackpore subdivisions of the district of 24-Parganas, the Sadar subdivision of the district of Howrah and the Sadar and Serampore subdivisions of the district of Hooghly.

The Schedule.

Rice, wheat, *atta*, flour, *dals*, mustard oil, salt, coke and matches.

By order of the Governor,

M. K. KIRPALANI,

Joint Secy. to the Govt. of Bengal.

ORDER.

No. 180Com.(C.D.).—18th April 1942.—
In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, read with clause (f) of that sub-rule, the Governor is pleased to direct—

(1) that no essential commodity specified in the annexed Schedule shall be moved by any form of conveyance by any person in Calcutta and the industrial area to any place outside the said areas, except under and in accordance with the conditions of a permit in writing issued by the Chief Controller of Prices, Bengal, or by any person authorised in writing by him in this behalf;

(2) that any goods carried in contravention of the above order shall be liable to seizure by such persons and in such manner as the Chief Controller of Prices, Bengal, may determine and the goods so seized shall be disposed of in such manner as the said Chief Controller of Prices considers expedient, and that the amount of compensation payable for goods so seized and disposed of, shall be determined by the said Chief Controller of Prices entirely in his discretion.

Explanation.—In this order—

(1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866; and

(2) "industrial area" means the Sadar and Barrackpore subdivisions of the district of 24-Parganas, the Sadar subdivision of the district of Howrah and the Serampore and Sadar subdivisions of the district of Hooghly.

The Schedule.

Rice, wheat, *atta*, flour, *dals*, mustard oil, salt, coke and matches.

By order of the Governor,

M. K. KIRPALANI,

Joint Secy. to the Govt. of Bengal.

ORDER.

No. 181Com.(C.D.).—18th April 1942.—
Whereas it appears to the Provincial Government that it is necessary for maintaining supplies and services essential to the life of the community to regulate the supply and distribution of *atta* and flour in the areas specified in the Schedule below:

Now, therefore, in exercise of the power conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to direct that the owners, or managers or persons in charge of all flour and *atta* mills situated within the said areas shall submit on the first day of each week to the Chief Controller of Prices, Bengal, a statement of stocks of *atta* and flour lying in their mills at the end of the preceding week and that no *atta* or flour manufactured in such mills shall be sold or disposed of except under order in accordance with a permit in writing issued by the Chief Controller of Prices, Bengal, or by any officer authorised in writing by him in this behalf.

Explanation.—In this order "week" means a period of seven days beginning at midnight on Sunday night.

The Schedule.

(1) The town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866.

(2) The Sadar and Barrackpore subdivisions of the district of 24-Parganas, the Sadar subdivision of the district of Howrah and the Serampore and Sadar subdivision of the district of Hooghly.

By order of the Governor,

M. K. KIRPALANI,

Joint Secy. to the Govt. of Bengal.



The Calcutta Gazette

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SATURDAY, MAY 9, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

DEPARTMENT OF COMMUNICATIONS AND WORKS.

Irrigation.

ORDER.

No. 15-I.—⁵³8th May 1942.—In exercise of the powers conferred by sub-rules (1) and (2) of rule 49 of the Defence of India Rules, the Governor is pleased to direct that all bamboo barriers, fishing contrivances and other obstacles within the following specified limits of the Jingeria Khal in the district of the 24-Parganas and of the khal joining the Jingeria Khal to Manikhali Khal in the said district shall be removed from, and taken outside, those limits within seven days from the date of publication of this notification in the *Calcutta Gazette*, namely :—

| Khal. | Mauza. | Length. | Description. |
|--|----------|---------------------------|--|
| Jingeria khal | Behala | 1,170' (more or less). | From the north-east corner of plot No. 743, mauza Gopalpur, thana Behala, district 24-Parganas, to the boundary of plot No. 943 of the same mauza of the same thana. |
| Ditto | Gopalpur | 75' (more or less). | From the northern boundary of plot No. 943 of mauza Gopalpur, thana Behala (24-Parganas), to the northern boundary of plot No. 915 of the same mauza and thana. |
| Cut Channel joining Jingeria Khal to the Manikhali Khal. | Behala | 490' (more or less). | From the north-east corner of plot No. 943 of mauza Gopalpur, thana Behala (24-Parganas), to its junction with the Manikhali Khal, plot No. 926 of mauza Gopalpur, thana Behala (24-Parganas). |

By order of the Governor,

S. K. GHOSH,
Secy. to the Govt. of Bengal.

HOME DEPARTMENT.**Jails.****NOTIFICATION.**

No. 2037H.J.—8th May 1942.—In accordance with the undertaking given by the Chief Minister during the last session of the Assembly, the Government of Bengal have constituted a Tribunal consisting of Mr. Justice Panckridge, Sir Sarat Kumar Ghose, retired Judge of the Calcutta High Court, and Mr. S. M. Masih, retired District and Sessions Judge, to review the cases of security prisoners.

2. The terms of reference of the Tribunal are as follows:—

To advise whether, having regard to the scope and intentions of rule 26 of the Defence of India Rules, the material on which the order of detention was based in each case was sufficient to constitute a *prima facie* case for use by the executive authority of the powers conferred on it by that rule; and whether, in the event of a finding that adequate grounds existed for the original order, the release of the prisoner is now justified in view of any representation made by him, or any change of outlook and sympathies resulting from circumstances which may have arisen since the order of detention was passed, such as Great Britain's alliance with the U. S. S. R. and the aggression of Japan, with the consequent progressively nearer approach of a direct threat to India.

3. Mr. Justice Panckridge is appointed to be the President of the Tribunal.

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal

Political.**NOTIFICATION.**

No. 7166P.—9th May 1942.—In exercise of the power conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Governor is pleased to direct that the powers conferred upon the Provincial Government by rule 50B of the Defence of India Rules shall, in respect of the Chittagong Division, be, subject to the control of the Provincial Government, exercised by the Commissioner of the Chittagong Division up to the 31st May 1942 (inclusive).

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.

FINANCE DEPARTMENT.**Finance.****RESOLUTION—No. 1130F.**

Calcutta, the 9th May 1942.

In the opinion of the military authorities the existence of two standards of time in India involves a risk of confusion that might prove prejudicial to operations and it has accordingly been decided to observe one uniform standard time throughout India.

In supersession of the instructions contained in Finance Department resolution No. 2202F., dated the 12th September 1941, the Government of Bengal are pleased to direct that with effect from 15th May 1942 until further notice the time observed in all Government offices throughout Bengal shall be Indian Standard Time.

To give effect to this decision clocks will be retarded one hour at midnight on the night of 14th/15th May 1942.

R. L. WALKER,

Secy. to the Govt. of Bengal.



The Calcutta Gazette

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THURSDAY, MAY 14, 1942.

PART I

Orders and Notifications by the Governor of Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Defence.

NOTIFICATIONS.

No. 7319P.—13th May 1942.—In exercise of the power conferred by section 2 of the Penalties (Enhancement) Ordinance, 1942 (Ordinance No. III of 1942), the Governor is pleased to declare that sections 3 to 7 inclusive of the said Ordinance as amended by the Penalties (Enhancement) Amendment Ordinance, 1942 (Ordinance No. VII of 1942), shall have effect in the districts of Burdwan and Howrah.

No. 7321P.—13th May 1942.—In exercise of the power conferred by section 9 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to invest all Magistrates of the first class in the districts of Burdwan and Howrah

who have exercised powers as such for not less than two years with the powers of a Special Magistrate under the said Ordinance.

No. 7323P.—13th May 1942.—In exercise of the power conferred by section 10 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the District Magistrates of the districts of Burdwan and Howrah, to direct within their respective districts, by general or special order in writing, which offences or classes of offences or cases or classes of cases other than offences or cases involving offences punishable under the Indian Penal Code with death shall be tried by a Special Magistrate.

No. 7324P.—13th May 1942.—In exercise of the power conferred by section 5 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the District Magistrates of the districts of Burdwan and Howrah, to direct within their respective districts, by general or special order in writing, which offences or classes of offences or cases or classes of cases shall be tried by a Special Judge.

No. 7320P.—13th May 1942.—In exercise of the power conferred by section 4 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to appoint the persons named in the

first column of the table below to be Special Judges for the areas respectively specified against each such person in the second column of that table:—

| Names of Special Judges. | Areas for which appointed. |
|---|----------------------------|
| Mr. B. K. Guha, I.C.S., District and Sessions Judge. | District of Burdwan. |
| Mr. A. F. M. Rahman, I.C.S., District and Sessions Judge. | District of Howrah. |

No. 7322P.—13th May 1942.—In exercise of the power conferred by section 15 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the Magistrates mentioned

in the first column of the table below to exercise the powers of a Summary Court in the areas respectively specified against such Magistrates in the second column of that table:—

| Magistrates. | Areas. |
|---|---|
| All Magistrates of the first and second class | The districts of Burdwan and Howrah and subdivisions in those districts in which they may be posted for the time being. |

By order of the Governor,

J. R. BLAIR,

Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

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SATURDAY, MAY 30, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Political.

ORDER.

No. 81202—29th May 1942.—In exercise of the power conferred by sub-rule (7) of rule 50B of the Defence of India Rules, the Governor is pleased to authorise the carrying out of field firing and artillery practice in any area in Bengal from the date of publication of this Order in the *Calcutta Gazette* till the termination of the present war.

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

Published by Authority

FRIDAY, JUNE 19, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

DEPARTMENT OF PUBLIC HEALTH AND LOCAL SELF-GOVERNMENT.

Municipal.

NOTIFICATION.

No. 1268M.—19th June 1942.—It is hereby notified that, under section 50 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the following gentlemen have been duly elected as Commissioners of the Howrah Municipality:—

General Constituency.

Ward I.

Babu Sankar Lal Mukherjee.
Babu Bibhuti Bhusan Banerjee.

Ward II.

Babu Indu Bhusan Mukherjee.

Ward III.

Babu Bejoy K. Mukherjee.
Babu Jyotish Ch. Mitra.

Ward IV.

Babu Saila K. Mukherjee.
Babu Banwari Lal Roy.

Ward V.

Babu Bankim Ch. Kar.
Babu Barada Prasanna Pain.

Ward VI.

Babu Dwijabar Chongdar.
Babu Krishna K. Chatterjee.

Ward VII.

Babu Panna Lal Sinha.
Babu Kartick Ch. Dutt.

Ward VIII.

Dr. Beni Charan Dutt.
Babu Benoy K. Mukherjee.
Babu Balai Ch. Banerjee.

Ward IX.

Babu Krishnadhon Chatterjee.
Babu Narendra Nath Sett.

Ward X.

Dr. Sushil K. Sanyal.

Special Constituency.

Ward A.

Maulvi Md. Zannoor Ahmed.

Ward B.

Maulvi Md. Sariff Khan.

Ward C.

Maulvi Md. Sariff.

Ward D.

Maulvi Rejwan Ali Molla.

Ward E.

Maulvi Sk. Abdul Wadud.

2. Under section 17 of the Act, the Governor is pleased to appoint the following gentlemen to be Commissioners of the said Municipality:—

The Civil Surgeon, Howrah.
Mr. Sib Sankar Chatterjee.
Khan Bahadur Syed Abdur Rauf, M.L.A.
Mr. J. M. Donaldson.
Mr. Chiranjiblal Bajoria.
Mr. Banku Behary Das.

By order of the Governor,

T. I. M. NURANNABI CHAUDHURI,
Secy. to the Govt. of Bengal.



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THURSDAY, JUNE 25, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL
DEPARTMENT OF PUBLIC HEALTH
AND LOCAL SELF-GOVERNMENT.

Municipal.

CORRIGENDUM.

No. 1291M.—25th June 1942.—In paragraph 2 of notification No. 1202M., dated the 15th June 1942, regarding the appointment of Commissioners of the Nator Municipality, published at page 1536 of Part I of the *Calcutta Gazette*, dated the 18th June 1942, for "Babu Gobinda Prosad Sukul" read "Babu Gopendra Prosad Sukul".

By order of the Governor,
T. I. M. NURANNABI CHAUDHURI,
Secy. to the Govt. of Bengal.



The Calcutta Gazette

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FRIDAY, JUNE 26, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Political.

NOTIFICATIONS.

No. 9573P.—25th June 1942.—In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor is pleased to direct that the Special Criminal Courts Ordinance, 1942 (Ordinance No. 11 of 1942), shall apply to the Darjeeling district and to the partially excluded areas of the Mymensingh district with effect from the date of publication of this notification in the *Calcutta Gazette* subject to the following modifications, namely:—

- (1) that in sub-section (3) of section 1 of the said Ordinance—
 - (a) for the words “any Province” the words “the district of Darjeeling and in the partially excluded areas of the district of Mymensingh”, and
 - (b) for the words “in the Province” the words “in the said district and in the said areas”shall be substituted;
- (2) that section 2 of the said Ordinance shall be omitted;
- (3) that in section 4 of the said Ordinance for the words “such area as it may

think fit”, the words “the district of Darjeeling or for the partially excluded areas of the district of Mymensingh” shall be substituted;

- (4) that in section 9 of the said Ordinance, the words “Presidency Magistrate or” shall be omitted;
- (5) that in sub-section (1) of section 13 of the said Ordinance the words “to the High Court in a Presidency-town and elsewhere” shall be omitted;
- (6) that in section 16, of the said Ordinance—
 - (a) in sub-section (1)—
 - (i) the words “or in a Presidency-town, the Chief Presidency Magistrate”, and
 - (ii) the words “or Chief Presidency Magistrate”shall be omitted, and
 - (b) in sub-section (2) the words “or Chief Presidency Magistrate” shall be omitted;
- (7) that in sub-section (1) of section 19 of the said Ordinance—
 - (a) the words “in a Presidency-town to the Chief Presidency Magistrate and elsewhere” shall be omitted;
- (8) that in sub-section (2) of section 20 of the said Ordinance the words “or in a Presidency-town to the Chief Presidency Magistrate” shall be omitted.

No. 9574P.—25th June 1942.—In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor is pleased to direct that the Special Criminal Courts (Amendment) Ordinance, 1942 (Ordinance No. XXIV of 1942), shall apply to the Darjeeling district and to the partially excluded areas of the Mymensingh district with effect from the date of publication of this notification in the *Calcutta Gazette*.

No. 9575P.—25th June 1942.—Whereas the Governor is satisfied of the existence of an

emergency arising from a hostile attack on Burma and on certain parts of Bengal;

Now, therefore, in exercise of the power conferred by sub-section (3) of section 1 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to declare the said Ordinance to be in force in the district of Darjeeling and in the partially excluded areas of the district of Mymensingh with effect from the date of publication of this notification in the *Calcutta Gazette*.

No. 9576P.—25th June 1942.—In exercise of the power conferred by section 4 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to appoint the persons named in the

Names of Special Judges.

Mr. E. S. Simpson, I.C.S., District and Sessions Judge.

Mr. A. S. Ray, I.C.S., District and Sessions Judge.

Mr. M. A. Isphani, District and Sessions Judge.

Mr. B. M. Mitra, I.C.S., District and Sessions Judge.

Mr. S. K. Gupta, I.C.S., District and Sessions Judge.

Mr. H. Banerjee, I.C.S., District and Sessions Judge.

Mr. Probodh Chandra Ghosh, District and Sessions Judge.

Mr. S. N. Modak, I.C.S., District and Sessions Judge.

Mr. B. K. Basu, I.C.S., District and Sessions Judge.

Mr. G. B. Synge, I.C.S., District and Sessions Judge.

Mr. J. De, C.I.E., I.C.S., District and Sessions Judge.

Mr. H. G. Waight, I.C.S., District and Sessions Judge.

Mr. Mayataru Halldar, District and Sessions Judge.

Mr. M. H. B. Lethbridge, I.C.S., District and Sessions Judge, 24-Parganas.

first column of the table below to be Special Judges for the areas respectively specified against each such person in the second column of that table:—

Areas for which appointed.

District of Hooghly.

District of Bankura.

District of Birbhum.

District of Jessore.

District of Nadia.

Districts of Pabna and Bogra.

District of Rangpur.

Districts of Rajshahi and Malda.

District of Murshidabad.

Districts of Dinajpur, Jalpaiguri and Darjeeling.

District of Dacca.

District of Mymensingh.

District of Faridpur.

The Presidency-town of Calcutta.

No. 9577P.—25th June 1942.—In exercise of the power conferred by section 5 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the District Magistrates of Hooghly, Bankura, Birbhum, Jessore, Nadia, Pabna, Bogra, Rajshahi, Malda, Murshidabad, Rangpur, Dinajpur, Dacca, Mymensingh, Faridpur, the Deputy Commissioners of Jalpaiguri and Darjeeling and the Chief Presidency Magistrate in the Presidency-town of Calcutta to direct, within their respective jurisdictions, by general or special order in writing, which offences or classes of offences or cases or classes of cases shall be tried by a Special Judge.

No. 9578P.—25th June 1942.—In exercise of the power conferred by section 9 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to invest all Presidency Magistrates in the Presidency-town of Calcutta and all Magistrates of the first class in the districts of Hooghly, Bankura, Birbhum, Jessore, Nadia, Pabna, Bogra, Rajshahi, Malda, Murshidabad, Rangpur, Dinajpur, Jalpaiguri, Darjeeling, Dacca, Mymensingh and Faridpur, who have exercised powers as such for not less than two years, with the powers of a Special Magistrate under the said Ordinance.

No. 9579P.—25th June 1942.—In exercise of the power conferred by section 10 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the Chief Presidency Magistrate in the Presidency-town of Calcutta, the District Magistrates of the districts of Hooghly, Bankura, Birbhum, Jessore, Nadia, Pabna, Bogra, Rajshahi, Malda, Murshidabad, Rangpur, Dinajpur,

Dacca, Mymensingh, Faridpur and the Deputy Commissioners of Jalpaiguri and Darjeeling to direct within their respective jurisdictions, by general or special order in writing, which offences or classes of offences or cases or classes of cases other than offences or cases involving offences punishable under the Indian Penal Code with death shall be tried by a Special Magistrate.

No. 9580P.—25th June 1942.—In exercise of the power conferred by section 15 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower the Magistrates

mentioned in the first column of the table below to exercise the powers of a Summary Court in the areas respectively specified against such Magistrates in the second column of that table:—

Magistrates.

All Magistrates of the first and second class.

Areas.

The districts of Hooghly, Bankura, Birbhum, Jessore, Nadia, Pabna, Bogra, Rajshahi, Malda, Murshidabad, Rangpur, Dinajpur, Jalpaiguri, Darjeeling, Dacca, Mymensingh, Faridpur and the subdivisions in those districts in which they may be posted for the time being.

All Presidency Magistrates

The Presidency-town of Calcutta.

No. 9581P.—25th June 1942.—In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor is pleased to direct that the Penalties (Enhancement) Ordinance, 1942 (Ordinance No. III of 1942), and the Penalties (Enhancement) Amendment Ordinance, 1942 (Ordinance No. VII of 1942), shall apply to the Darjeeling district and to the partially excluded areas of the Mymensingh district with effect from the date of publication of this notification in the *Calcutta Gazette*.

(Ordinance No. III of 1942), the Governor is pleased to declare that sections 3 to 7 inclusive of the said Ordinance as amended by the Penalties (Enhancement) Amendment Ordinance, 1942 (Ordinance No. VII of 1942), shall have effect in the Presidency-town of Calcutta and in the districts of Hooghly, Bankura, Birbhum, Jessore, Nadia, Pabna, Bogra, Rajshahi, Malda, Murshidabad, Rangpur, Dinajpur, Jalpaiguri, Darjeeling, Dacca, Mymensingh and Faridpur.

By order of the Governor,

J. R. BLAIR,

Secy. to the Govt. of Bengal.

No. 9582P.—25th June 1942.—In exercise of the power conferred by section 2 of the Penalties (Enhancement) Ordinance, 1942



The Calcutta Gazette

Extraordinary

Published by Authority

SATURDAY, JUNE 27, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Police.

NOTIFICATION.

No. 2260Pl.—26th June 1942.—In exercise of the power conferred by section 2 of the Bengal Criminal Law (Industrial Areas) Amendment Act, 1942 (Bengal Act IV of 1942), the Governor is pleased to declare the whole of Bengal excluding the areas specified in the Schedule below to be an industrial area for the purposes of the said Act.

The Schedule.

(1) The town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866 (Bengal Act IV of 1866), together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866 (Bengal Act II of 1866).

(2) The station of Howrah as described in the Schedule to the Howrah Offences Act, 1857 (XXI of 1857).

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.



The Calcutta Gazette

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MONDAY, JULY 6, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

Bengal Ordinance No. I of 1942

The Bengal Turbulent Areas Ordinance, 1942.

WHEREAS the Bengal Legislature is not in session and the Governor is satisfied that it is urgently necessary in the public interest to make special provision for dealing with extensive or protracted disturbance of the public peace and that immediate action should be taken for that purpose:

The Governor is pleased, in exercise of the power conferred by sub-section (1) of section 88 of the Government of India Act, 1935, to make and promulgate the following Ordinance, namely:—

Short title,
extent and
commencement.

1. (1) This Ordinance may be called the Bengal Turbulent Areas Ordinance, 1942.

(2) It extends to the whole of Bengal.

(3) It shall come into force on the date of its publication in the *Official Gazette*.

Definitions.

2. In this Ordinance, unless there is anything repugnant in the subject or context,—

(1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866;

(2) "District Magistrate" means in Calcutta, the Commissioner of Police;

Ben.
Act IV of
1866.

Ben.
Act II of
1866.

- (3) the "inhabitants" of an area include persons who themselves or by their agents or servants occupy or hold land or other immovable property within such area; and landlords who themselves or by their agents or servants collect rents from holders or occupiers of land in such area notwithstanding that they do not actually reside therein;
- (4) "turbulent area" means an area in regard to which a notification under section 3 is in force.

Declaration of an area as turbulent area.

3. The Provincial Government may by notification in the *Official Gazette* declare that any area shall be deemed to be, or is, a turbulent area with effect from such date as may be specified in the notification.

Imposition of collective fine.

4. (1) Where it appears to the Provincial Government that the inhabitants of a turbulent area or any class or section of such inhabitants are concerned in or abetting the commission of offences or other acts which are prejudicial to the maintenance of law and order or to the public revenues, or are harbouring persons concerned in the commission of such offences or acts, or are failing to render all assistance in their power to discover or apprehend such persons, or are suppressing material evidence in respect of the commission of such offences or acts, the Provincial Government by notification in the *Official Gazette*—

- (a) may impose a collective fine on the inhabitants of such area or any class or section of such inhabitants in respect of such offences or acts generally; and
- (b) in addition to any such fine imposed in respect of such offences or acts generally may impose a further collective fine on the inhabitants of such area or any class or section of such inhabitants in respect of any individual such offence or act as may be committed.

(2) The Provincial Government may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.

(3) The District Magistrate, after such inquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable to pay it and such apportionment shall be made according to the respective means of such inhabitants.

(4) The portion of such fine payable by any person may be recovered from him as a fine or as an arrear of land revenue.

Compensation out of proceeds of collective fine.

5. Out of the proceeds of a fine realised under section 4, the Provincial Government or any officer duly authorised in this behalf by the Provincial Government may award compensation to any person who, in the opinion of the Provincial Government or such officer, has suffered injury to person or property by unlawful acts committed within the turbulent area.

Savings as to orders.

6. No order made in exercise of any power conferred by or under this Ordinance shall be called in question in any Court.

Indemnity.

7. No suit, prosecution, or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Ordinance.

J. A. HERBERT,

Governor of Bengal.

The 5th July, 1942.

HOME DEPARTMENT.**Political.****NOTIFICATIONS.**

No. 12846P.—5th July 1942.—In exercise of the power conferred by section 3 of the Bengal Turbulent Areas Ordinance, 1942 (Bengal Ordinance No. 1 of 1942), the Governor is pleased to declare that the area included within the municipality of Dacca shall be deemed to be a turbulent area with effect from the 4th July 1942.

No. 12847P.—5th July 1942.—Whereas it appears to the Provincial Government that the inhabitants of the area, described in the schedule hereto annexed, being an area within the municipality of Dacca, which has been declared to be a turbulent area by notification No. 12846P., dated the 5th July 1942, are concerned in or abetting the commission of offences or other acts which are prejudicial to the maintenance of law and order or to the public revenues, or are harbouring persons concerned in the commission of such offences or acts, or are failing to render all assistance in their power to discover or apprehend such persons, or are suppressing material evidence in respect of the commission of such offences or acts;

Now, therefore, in exercise of the power conferred by clause (a) of sub-section (1) of section 4 of the Bengal Turbulent Areas Ordinance, 1942, the Governor is pleased to impose a collective fine of Rs. 5,000 (Rupees five thousand only) on the inhabitants of the said area in respect of such offences or acts generally.

Schedule.

The area bounded—

On the north by Pyari Das Road between Rameshchandra Basu Street and Sukhlal Das Lane;

On the south by Farashganj Road from Ramchandra Dam Street to Subji Mahal Lane;

On the east by Chamartuli Lane and Sukhlal Das Lane; and

On the west by Rameshchandra Basu Street.

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

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THURSDAY, JULY 9, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Political.

NOTIFICATION.

No. 12895P.—9th July 1942.—Whereas it appears to the Provincial Government that the inhabitants of the area, described in the schedule hereto annexed, being an area within the municipality of Dacca, which has been declared to be a turbulent area by notification No. 12846P., dated the 5th July 1942, are concerned in or abetting the commission of offences or other acts which are prejudicial to the maintenance of law and order or to the public revenues, or are harbouring persons concerned in the commission of such offences or acts, or are failing to render all assistance in their power to discover or apprehend such persons, or are suppressing material evidence in respect of the commission of such offences or acts;

Now, therefore, in exercise of the power conferred by clause (a) of sub-section (1) of section 4 of the Bengal Turbulent Areas Ordinance, 1942, the Governor is pleased to

impose a collective fine of Rs. 2,000 (Rupees two thousand only) on the inhabitants of the area described in the schedule in respect of such offences or acts generally.

Schedule.

The area bounded—

On the North—By the khal from municipal holding No. 178T, passing under the Fulbaria Road bridge up to Bangshal Road bridge.

On the East—By the khal from Bangshal Road bridge to Kamarnagar bridge.

On the South—By the Yousuff Market Road from Kamarnagar bridge to its junction with Shamsabad Lane.

On the West—By Shamsabad Lane from its junction with Yousuff Market Road to its junction with Kaliprasanna Ghosh Bahadur Street, to its junction with Bangshal Road and north to join the khal by municipal holdings Nos. 177 and 178.

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.



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PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Political.

NOTIFICATION.

No. 12956P.—14th July 1942.—Whereas it appears to the Provincial Government that the inhabitants of the area, described in the schedule hereto annexed, being an area within the municipality of Dacca, which has been declared to be a turbulent area by notification No. 12846P., dated the 5th July 1942, are concerned in or abetting the commission of offences or other acts which are prejudicial to the maintenance of law and order or to the public revenues, or are harbouring persons concerned in the commission of such offences or acts, or are failing to render all assistance in their power to discover or apprehend such persons, or are suppressing material evidence in respect of the commission of such offences or acts;

Now, therefore, in exercise of the power conferred by clause (a) of sub-section (1) of section 4 of the Bengal Turbulent Areas Ordinance, 1942, the Governor is pleased to

impose a collective fine of Rs. 5,000 (Rupees five thousand only) on the inhabitants of the area described in the schedule in respect of such offences or acts generally.

Schedule.

The area bounded—

- On the north by Pyari Das Road between Harishchandra Basu Street and Sukhlal Das Lane;
- On the south by Farashganj Road from Harishchandra Basu Street to Subji Mahal Lane;
- On the east by Chamartuli Lane and Sukhlal Das Lane; and
- On the west by Harishchandra Basu Street.

2. This cancels notification No. 12847 P., dated the 5th July 1942.

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.



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PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

DEPARTMENT OF COMMERCE AND LABOUR.

Commerce.

NOTIFICATION.

No. 4534Com.—27th July 1942.—Whereas it appears to the Provincial Government that it is necessary and expedient for securing the defence of British India and the efficient prosecution of the war to regulate the manner in which motor spirit shall be consumed in the Province of Bengal:

Now, therefore, in exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

1. This Order shall come into force on the 1st August 1942.
2. Notwithstanding anything contained in the Motor Spirit Rationing Order, 1941—

(a) no ordinary coupons shall be issued under the said Order in respect of motor vehicles not included in items 1, 2, 3 and 4 of the first column of the Second Schedule to that Order or in respect of taxi-cabs, and any ordinary coupons already issued under the said Order in respect of the said motor vehicles and taxi-cabs which have not been surrendered before the date of commencement of this Order shall be invalid and no motor spirit shall be furnished or acquired against the surrender of such coupons:

Provided that supplementary coupons may be issued under the said Order in respect of the said motor vehicles and taxi-cabs in accordance with such instructions as may be issued from time to time by the Provincial Rationing Authority in this behalf;

(b) ordinary coupons issued in respect of transport vehicles other than taxi-cabs and special coupons issued in respect of any motor vehicles under the said Order shall not be valid unless they are specially validated by the Area Rationing Authority in such manner as the Provincial Rationing Authority may direct and no motor spirit shall be furnished or acquired against the surrender of the said coupons unless they are so validated.

By order of the Governor,

M. K. KIRPALANI,

Joint Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

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SATURDAY, AUGUST 1, 1942.

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

DEPARTMENT OF COMMERCE AND LABOUR.

Civil Defence.

NOTIFICATION.

No. 1977Com. (C.D.).—31st July 1942.—
In exercise of the powers conferred by clauses
(a) and (f) of sub-rule (2) of rule 81 of the
Defence of India Rules, the Governor is
pleased to order that—

(a) every stockist of galvanized iron
piping and every other person who
may have any stock of any size of
galvanized iron piping from $\frac{1}{2}$ "
diameter to 6" diameter, both in-
clusive, shall furnish by the 7th day
of August 1942 to the Additional
Secretary, Public Health and Local
Self-Government Department, at
Writers' Buildings, a statement
showing—

(i) the quantity of galvanized iron
piping of any of the above-men-
tioned sizes which each such person

may hold in stock on the date of
publication of this order in the
Calcutta Gazette; and

(ii) the quantity which each such person
may have disposed of to any other
person on or after the 1st day of
May 1942; and

(b) every such stockist or other person who
may have any stock of any size of
galvanized iron piping from $\frac{1}{2}$ "
diameter to 6" diameter is hereby
prohibited from selling or otherwise
disposing of any stock of galvanized
iron piping of any of the above-men-
tioned sizes and from removing any
such piping from the place where on
the date of publication of this order
it is stored except under and in
accordance with the conditions of a
permit to be issued in this behalf by
the Provincial Government.

By order of the Governor,

M. K. KIRPALANI,

Joint Secy. to the Govt. of Bengal



The Calcutta Gazette

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SUNDAY, AUGUST 9, 1942.

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Political.

NOTIFICATIONS.

No. X. 1875—9th August 1942. Whereas in the opinion of the Governor the association known by the name of the Congress Working Committee has for its object interference with the administration of the law and the maintenance of law and order and constitutes a danger to the public peace;

Now, therefore, in exercise of the powers conferred by sub-section (I) of section 16 of the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), the Governor is pleased to declare the said committee to be an unlawful association within the meaning of Part II of the Indian Criminal Law Amendment Act, 1908.

No. X. 1876—9th August 1942.—Whereas in the opinion of the Governor the association known by the name of the All India Congress

Committee has for its object interference with the administration of the law and the maintenance of law and order and constitutes a danger to the public peace;

Now, therefore, in exercise of the powers conferred by sub-section (I) of section 16 of the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), the Governor is pleased to declare the said committee to be an unlawful association within the meaning of Part II of the Indian Criminal Law Amendment Act, 1908.

No. X. 1877—9th August 1942.—Whereas in the opinion of the Governor the association known by the name of the Bengal Provincial Congress Committee has for its object interference with the administration of the law and the maintenance of law and order and constitutes a danger to the public peace;

Now, therefore, in exercise of the powers conferred by sub-section (I) of section 16 of the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), the Governor is pleased to declare the said committee to be an unlawful association within the meaning of Part II of the Indian Criminal Law Amendment Act, 1908.

No. X. 1878 - 9th August 1942.—Whereas in exercise of the powers conferred by section 16 of the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), the Governor has by notification No. X. 1877, dated the 9th August 1942, declared the Bengal Provincial Congress Committee to be an unlawful association;

And whereas the place specified or described in the Schedule hereto annexed is in the opinion of the Governor used for the purposes of the said unlawful association;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17-A of the said Act the Governor is hereby pleased to notify the said place as a place used for the purposes of an unlawful association.

Schedule.

Premises occupied as the office of the Bengal Provincial Congress Committee on the first floor of No. 32, Upper Circular Road, Calcutta, bounded—

On the north by No. 32/1, Upper Circular Road;

On the south by No. 31/1, Upper Circular Road;

On the east by Upper Circular Road; and

On the west by No. 7/2A, Hyat Khan Lane.

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.



The Calcutta Gazette

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MONDAY, AUGUST 10, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Political.

NOTIFICATION.

No. 14373P.—10th August 1942.—The following notification, dated the 7th August 1942, by the Government of India, is published for general information.

J. R. BLAIR,

Chief Secy. to the Govt. of Bengal.

GOVERNMENT OF INDIA.

Defence Department.

NOTIFICATION.

New Delhi, the 7th August 1942.

No. 1533-SM/42.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:—

After rule 81C of the said Rules, the following rule shall be inserted, namely:—

“Shops trading
in essential
articles.

81D. (1) In this rule—

- (a) “scheduled article” means an article specified in the Schedule to this rule, and includes an article which the Provincial Government or the District Magistrate, being of opinion that the maintenance of the supply thereof is essential to the life of the community, declares by order in writing to be a scheduled article;
- (b) “shop” means any premises wherein any retail trade is carried on in scheduled articles, whether or not in addition to retail trade in other articles and whether for the benefit of the public generally or of a class or classes of persons only;
- (c) “restaurant” means any premises wherein is carried on, whether or not in addition to other forms of

business, the business of supplying meals or refreshments to the public or a class of the public for consumption on the premises;

(d) "essential business" means in relation to a shop, retail trade in scheduled articles, and in relation to a restaurant, the business of supplying meals or refreshments for consumption on the premises;

(c) "proprietor" of a shop or restaurant includes any person responsible for the management thereof.

(2) The District Magistrate, if he considers it necessary for the purpose of maintaining supplies essential to the life of the community, may, by general or special order and subject to the provisions of any law for the time being in force relating to shop-hours, require the proprietor of a shop or restaurant to keep open the shop or restaurant for the conduct of the essential business thereof during such period or periods as may be specified in the order.

(3) No proprietor of a shop or restaurant shall close the shop or restaurant on the occasion of a *hartal* or in contravention of any order under sub-rule (2), or suffer the same to be so closed.

(4) If a shop or restaurant is closed in contravention of sub-rule (3), the District Magistrate or any person authorised by him by general or special order in this behalf may cause the shop or restaurant to be opened and the essential business thereof to be carried on through such agency as he may think fit and at such prices as may be specified in the order, and may use or cause to be used all such force as may be necessary for the enforcement of this sub-rule.

(5) Where the essential business of a shop or restaurant is carried on in pursuance of an order under sub-rule (4), all stock-in-trade relevant to the essential business thereof may be sold or disposed of by the agency through which the essential business is carried on, and there shall be paid to the proprietor of the shop or restaurant a sum certified by the District Magistrate or by a person authorised by him in this behalf as representing the proceeds of the sale or disposal of such stock-in-trade less the amount of the cost of carrying on the essential business of the shop or restaurant and the sum so certified shall be final and shall not be called in question in any court.

(6) Where the proprietor of a shop or restaurant does not close the shop or restaurant on the occasion of a *hartal* or in contravention of an order under sub-rule (2), but on such occasion or during the period or periods specified in such order, as the case may be, refuses to carry on the essential business thereof except on terms in excess of the normal, the shop or restaurant shall be deemed to be closed in contravention of sub-rule (3) for all the purposes of this rule.

(7) The powers and functions of the District Magistrate under this rule shall, in a Presidency-town, be exercisable by the Commissioner of Police.

(8) Any person who contravenes any of the provisions of this rule or any order made thereunder shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

The Schedule.

Grains, pulses and flour, and any food-stuffs made from any of them.

Sugar and gur.

Milk and milk products, including ghee.

Eggs.

Vegetable oils.

Vegetables and fruits, all sorts.

Meat, fish and poultry.

Spices.

Salt.

Kerosene oil.

Charcoal, steam coal and fire wood.

Matches.

Medicines.

Household soap.

Fodder, bran, pollard and oilcakes".

G. V. BEWOOR,

Secy. to the Govt. of India.



The Calcutta Gazette

Extraordinary

Published by Authority

TUESDAY, AUGUST 11, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Political.

NOTIFICATION.

No. 14264P.—11th August 1942.—The following from the *Gazette of India*, dated Saturday, the 8th August 1942, is published for general information.

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.

GOVERNMENT OF INDIA.

Defence Department.

NOTIFICATION.

New Delhi, the 8th August 1942.

No. 1536-SM/42.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:—

After rule 38A of the said Rules, the following rule shall be inserted, namely:—

“ Control of local
authorities.

38B. (1) If in the opinion of the Provincial Government any local authority has used or is likely to use its local fund, or has employed or permitted or is likely to employ or permit, any of its officers, members or servants to act, in furtherance of any activity prejudicial to the defence of British India, the public safety, the maintenance of public order, the efficient prosecution of war, or the maintenance of supplies and services essential to the life of the community,

or has passed any resolution approving of or supporting any such activity, or has failed to carry out any orders or direction lawfully made or given to it, the Provincial Government may by order supersede the local authority for such period as may be specified in the order.

(2) When an order of supersession has been made under sub-rule (1)—

- (a) all the members of the local authority shall, as from the date of supersession, vacate their offices as such members;
- (b) all the powers and duties which may, by or under any law for the time being in force, be exercised or performed by or on behalf of the local authority shall, until the local authority is reconstituted in pursuance of an order under clause (b) or clause (c) of sub-rule (3), be exercised and performed by such person or persons as the Provincial Government may direct;
- (c) all property vested in the local authority shall, until the local authority is reconstituted in pursuance of an order under clause (b) or clause (c) of sub-rule (3), vest in the Provincial Government.

(3) On the expiration of the period of supersession specified in the order under sub-rule (1), the Provincial Government may—

- (a) extend the period for such further term as it may consider necessary;
- (b) by order direct that the local authority shall be reconstituted in the manner provided for the constitution of the authority by or under the law relating thereto, and in such case any persons who vacated their offices under clause (a) of sub-rule (2) shall not be deemed disqualified for election, appointment or nomination, unless in any particular case the Provincial Government in the order so directs; or
- (c) by order direct that the local authority shall subject to any exception which may be specified in the order (any vacancy occasioned by such exception being regarded as a casual vacancy) be reconstituted by the persons who vacated their offices under clause (a) of sub-rule (2), and shall recommence functioning as if it had not been superseded:

Provided that the Provincial Government may at time before the expiration of the period of supersession, whether as originally specified under sub-rule (1) or as extended under this sub-rule, make an order under clause (b) or clause (c) of this sub-rule."

C. MACI. G. OGILVIE,

Secy. to the Govt. of India.



The Calcutta Gazette

Extraordinary

Published by Authority

TUESDAY, SEPTEMBER 8, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Defence.

NOTIFICATION.

No. 350Def.—8th September 1942.—
Whereas it appears to the Provincial Government that the inhabitants of the Bolpur Union within the jurisdiction of Bolpur police-station and of the Dubrajpur Union within the jurisdiction of Dubrajpur police-station in the district of Birbhum are concerned in or abetting the commission of offences prejudicially affecting the defence of British India, the public safety, the maintenance of public order, the efficient prosecution of war, or the maintenance of supplies or services necessary to the life of the community, or are harbouring persons

concerned in the commission of such offences, or are failing to render all the assistance in their power to discover or apprehend the offender or offenders, or are suppressing material evidence of the commission of such offences;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 3 of the Collective Fines Ordinance, 1942 (Ordinance No. XX of 1942), the Governor is pleased to impose a collective fine of Rs. 10,000 (rupees ten thousand) on the inhabitants of each of the said two Unions subject to any order which may be passed exempting any person or class or section of such inhabitants from liability to pay any portion of the fine.

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

Published by Authority

THURSDAY, SEPTEMBER 10, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Appointment.

—
RESOLUTION—No. 3803A.
—

Calcutta, the 9th September 1942.

His Excellency the Governor of Bengal and his Council of Ministers have heard with deep regret of the death in Darjeeling on the evening of September the 8th of Sir Edmond Nicolas Blandy, K.C.I.E., C.S.I., I.C.S. (retired), Chairman of the Public Service Commission, Bengal.

Sir Nicolas Blandy joined the Indian Civil Service in 1910, and in a long and distinguished career he held with honour many posts of the highest responsibility in the public service including those of Secretary to the Government of Bengal in the Finance Department, Member of the Board of Revenue, and finally that of Chief Secretary, from which he retired in March

of this year when he was appointed Chairman of the Public Service Commission, Bengal. He was made a C.I.E. in 1933, a C.S.I. in 1939 and a K.C.I.E. in 1942.

Generous in appreciation and wise in counsel, Sir Nicolas combined in an exceptional degree the capacity for hard work with shrewd common sense and an immediate appreciation of essentials. His work was throughout informed by the profound humanism which, in his private life, displayed itself in the wide range and extent of his contact with his fellow-men. Amongst his other activities he was an enthusiastic Freemason and throughout his service he associated himself closely with many of the lodges in Bengal.

His Excellency the Governor and his Council of Ministers desire to place on record their appreciation of the valuable services which Sir Nicolas Blandy rendered both to the Government and to the people of Bengal and to convey to Lady Blandy and her family their deep and sincere sympathy in the loss which they have sustained.

By order of the Governor,

J. R. BLAIR,
Chief Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

Published by Authority

THURSDAY, SEPTEMBER 10, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Political.

NOTIFICATION.

No. 19742P.—10th September 1942.—
Whereas it appears to the Provincial Government that the inhabitants of the Kalashkati village within the jurisdiction of Bakarganj police-station and of the Rahmatpur village within the jurisdiction of Babuganj police-station in the district of Bakarganj are concerned in or abetting the commission of offences prejudicially affecting the defence of British India, the public safety, the maintenance of public order, the efficient prosecution of war, or the maintenance of supplies or services necessary to the life of the community, or are harbouring persons concerned in the commission of such offences,

or are failing to render all the assistance in their power to discover or apprehend the offender or offenders, or are suppressing material evidence of the commission of such offences;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 3 of the Collective Fines Ordinance, 1942 (Ordinance No. XX of 1942), the Governor is pleased to impose a collective fine of Rs. 10,000 (rupees ten thousand) on the inhabitants of each of the said Kalashkati and Rahmatpur villages subject to any order which may be passed exempting any person or class or section of such inhabitants from liability to pay any portion of the fine.

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

Published by Authority

FRIDAY, SEPTEMBER 11, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Appointment.

RESOLUTION—No. 3836A.

Calcutta, the 11th September 1942.

His Excellency the Governor and his Council of Ministers have heard with deep regret of the death in Calcutta of Mr. John Younie, I.C.S., on the 9th September 1942. Mr. Younie spent the greater part of his twenty-six years in India as a District and Sessions Judge in various districts in Bengal, and the reward of distinguished service came to him by his appointment early this year to the important post of Secretary to Government in the Judicial Department and Legal

Remembrancer, which he held until the day of his death.

Mr. Younie was distinguished by his quiet devotion to duty; inclined by disposition to efface himself he earned the respect and admiration of those who were privileged to know him by the richness of his intellectual interests and his breadth of outlook, qualities which eminently fitted him to represent the highest traditions of British Indian justice.

His Excellency the Governor and his Council of Ministers desire to record their profound regret at this sudden loss of an officer of outstanding merit, and to convey to Mrs. Younie and her family a sincere expression of their sympathy.

By order of the Governor,

J. R. BLAIR,

Chief Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

Published by Authority

FRIDAY, SEPTEMBER 18, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Political.

NOTIFICATIONS.

No. 19852P.—17th September 1942.—Whereas it appears to the Provincial Government that the inhabitants of the Kalna Municipality within the jurisdiction of Kalna police-station in the district of Burdwan are concerned in or abetting the commission of offences prejudicially affecting the defence of British India, the public safety, the maintenance of public order, the efficient prosecution of war, or the maintenance of supplies or services necessary to the life of the community, or are harbouring persons concerned in the commission of such offences, or are failing to render all the assistance in their power to discover or apprehend the offender or offenders, or are suppressing material evidence of the commission of such offences;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 3 of the Collective Fines Ordinance, 1942 (Ordinance No. XX of 1942), the Governor is pleased to impose a collective fine of Rs. 30,000 (rupees thirty thousand) on the inhabitants of the said Kalna Municipality subject to any order which may be passed exempting any person or class or section of such inhabitants from liability to pay any portion of the fine.

No. 19854P.—17th September 1942.—Whereas it appears to the Provincial Government that the inhabitants of the Bolpur union

within the jurisdiction of Bolpur police-station and of the Dubrajpur union and Hetampur union within the jurisdiction of Dubrajpur police-station in the district of Birbhum are concerned in or abetting the commission of offences prejudicially affecting the defence of British India, the public safety, the maintenance of public order, the efficient prosecution of war, or the maintenance of supplies or services necessary to the life of the community, or are harbouring persons concerned in the commission of such offences, or are failing to render all the assistance in their power to discover or apprehend the offender or offenders, or are suppressing material evidence of the commission of such offences;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 3 of the Collective Fines Ordinance, 1942 (Ordinance No. XX of 1942), the Governor is pleased to impose collective fines of Rs. 10,000 (rupees ten thousand) on the inhabitants of Bolpur union and of Rs. 10,000 (rupees ten thousand) on the inhabitants of Dubrajpur and Hetampur unions subject to any order which may be passed exempting any person or class or section of such inhabitants from liability to pay any portion of the fine.

2. The Home (Defence) Department notification No. 350Def., dated the 8th September 1942, is hereby cancelled.

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

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FRIDAY, SEPTEMBER 18, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Police.

NOTIFICATION.

No. 4386Pl.—18th September 1942.—In exercise of the powers conferred by clauses (a) and (i) of sub-rule (2) of rule 89 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

Order.

1. This Order shall come into force on the 21st September 1942.

2. No person shall use a motor vehicle, and no person owning or having charge of or control over a motor vehicle shall permit the use of such motor vehicle, in any place within the province of Bengal unless a special permit authorising the use of motor spirit rationing coupons has been issued in respect of the motor vehicle by the Area Rationing Authority which issues coupons authorising the supply of motor spirit to the

motor vehicle under the Motor Spirit Rationing Order, 1941, read with the order published under Government of Bengal notification No. 4534Com., dated the 27th July 1942, and unless the special permit so issued is carried on the motor vehicle when such vehicle is being used.

3. Nothing in this Order shall apply to a motor vehicle employed by the Central or the Provincial Government in or in the maintenance of His Majesty's Forces or for defence or internal security purposes or required by any railway administration for purposes other than the supply to the public of facilities for the carriage of goods or passengers or to a motor vehicle specially exempted from the provisions of this Order by the Provincial Government.

4. In this Order, the expressions "Area Rationing Authority", "coupon" and "motor vehicle" have the same meanings as in the Motor Spirit Rationing Order, 1941.

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

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TUESDAY, SEPTEMBER 22, 1942

PART V

Acts of the Indian Legislature assented to by the Governor-General and Ordinances promulgated by the Governor-General

GOVERNMENT OF INDIA.

Legislative Department.

New Delhi, the 12th September, 1942.

ORDINANCE No. XLIX OF 1942.

AN
ORDINANCE

further to amend the Collective Fines Ordinance, 1942.

WHEREAS an emergency has arisen which makes it necessary further to amend the Collective Fines Ordinance, 1942, for the purposes hereinafter appearing; XX of 1942.

Now, therefore, in exercise of the powers conferred by section 72 of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, the Governor General is pleased to make and 26 Geo. 5, c. 2. promulgate the following Ordinance:—

Short title and commencement.

1. (1) This Ordinance may be called the Collective Fines (Second Amendment) Ordinance, 1942.

(2) It shall come into force at once.

Amendment of section 3, Ordinance XX of 1942.

2. In section 3 of the Collective Fines Ordinance, 1942,—

(a) after sub-section (1) the following sub-section shall be inserted, namely:—

“(1A) An officer empowered in this behalf by the Provincial Government by general or special order may exercise the power conferred by sub-section (1) on the Provincial Government:

Provided that an imposition of a collective fine by any such officer may be made by publication of the order imposing the fine either in the Official Gazette or in any such other manner as such officer considers best calculated to bring the order to the notice of the inhabitants of the area concerned."

(b) In sub-section (2) after the words "the Provincial Government" the words "or any officer empowered in this behalf by the Provincial Government by general or special order" shall be inserted.

(c) After sub-section (3) the following sub-section shall be inserted, namely:—

"(3A) In any such apportionment the District Magistrate may assign a portion of such fine to a Hindu undivided family to be payable by it."

(d) In sub-section (4) after the word "person" the brackets and words "(including a Hindu undivided family)" shall be inserted and the words "from him" shall be omitted.

LINLITHGOW,

Viceroy and Governor General.

G. H. SPENCE,

Secy. to the Govt. of India.



The Calcutta Gazette

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TUESDAY, SEPTEMBER 22, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Defence.

NOTIFICATIONS.

No. 1076Def.—21st September 1942.—In exercise of the power conferred by section 5 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower all Additional District Magistrates in this province to direct within the respective districts to which they are posted, by general or special order in writing, which offences or classes of offences or cases or classes of cases shall be tried by a Special Judge.

No. 1077Def.—21st September 1942.—In exercise of the power conferred by section 10 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor is pleased to empower all Additional District Magistrates in this province to direct within the respective districts to which they are posted, by general or special order in writing, which offences or classes of offences or cases or classes of cases other than offences or cases involving offences punishable under the Indian Penal Code with death shall be tried by a Special Magistrate.

By order of the Governor,

J. R. BLAIR,

Secy. to the Govt. of Bengal



The Calcutta Gazette

Extraordinary

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WEDNESDAY, SEPTEMBER 30, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

Office of the Secretary to His
Excellency the Governor of Bengal

NOTIFICATIONS.

Chittagong Hill-tracts.—No. 190S.—30th September 1942.—In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor is pleased to make the following amendments in the notification No. 159S., dated the 11th September 1942, applying the Trade Marks Act, 1940 (V of 1940), to the Chittagong Hill-tracts, namely:—

“that in the said notification for the words and figures ‘1st day of October 1942’ wherever they occur *substitute* the words and figures ‘1st day of November 1942’.”

Chittagong Hill-tracts.—No. 191S.—30th September 1942.—In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor is pleased to make the following amendment in the notification No. 160S., dated the 11th September 1942, applying the Trade Marks (Amendment) Act, 1941 (XXVII of 1941), to the Chittagong Hill-tracts, namely:—

“that in the said notification for the words and figures ‘1st day of October 1942’ *substitute* the words and figures ‘1st day of November 1942’.”

By order of the Governor,

A. DEC. WILLIAMS,
Secretary to the Governor.



The Calcutta Gazette

Extraordinary

Published by Authority

SUNDAY, OCTOBER 4, 1942.

PART I

Orders and Notifications by the Governor of Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF BENGAL.

HOME DEPARTMENT.

Political.

NOTIFICATION.

No. 20113P.—3rd October 1942.—Whereas in the opinion of the Governor the Committees and Associations in the district of Midnapore, specified in the Schedule below, have for their object interference with the administration of the law and the maintenance of law and order and constitute a danger to the public peace;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 16 of the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), the Governor is pleased to declare the said Committees and Associations to be unlawful Associations within the meaning of Part II of the Indian Criminal Law Amendment Act, 1908.

Schedule.

1. Midnapore District Congress Committee.
2. Nikhil Bharat Charka Sangha.
3. Midnapore District Congress Committee *alias* Midnapore War Council.
4. Kharagpur Town Congress Committee.
5. Gokulpur Congress Committee.
6. Debra Thana Congress Committee.

7. Garbetta Town Congress Committee.
8. Sabong Thana Congress Committee.
9. Contai Subdivisional Congress Committee.
10. Contai National School.
11. Egra Thana Congress Committee.
12. Paniparal Congress Committee.
13. Bhagabanpur Thana Congress Committee.
14. Hijli Tarun Sangha.
15. Patashpur Thana Congress Committee.
16. Ghatal Subdivisional and Thana Congress Committee Office.
17. Daspur Thana Congress Committee.
18. Chandrakona Thana Congress Committee.
19. Jhargram Subdivisional Congress Committee.
20. Tamluk Thana Congress Committee.
21. Nandigram Thana Congress Committee.
22. Mahisadal Congress Committee.
23. Basudevpur Congress Office.
24. Garbeta Thana Congress Committee (Midnapore).

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

Published by Authority

THURSDAY, OCTOBER 8, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

ORDERS BY COMMISSIONERS OF DIVISIONS.

Rajshahi Division—Jalpaiguri

No. 2859M. — 6th/7th October 1942. — In exercise of the powers under sub-section (2) of section 19 of the Local Self-Government Act (Bengal Act III of 1885), as amended up to date, and with the previous approval of the Local Government under section 29B of the Act, I appoint Maulvi Mafizuddin Ahmed of Naogaon to be a member of the Rajshahi district board in place of Kazi Muzaffar Hossain, deceased.

D. MACPHERSON, *Commissioner.*



The Calcutta Gazette

Extraordinary

Published by Authority

SUNDAY, NOVEMBER 1, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Press.

ORDER.

To—All Printers, Publishers and Editors.

No. 930Pr.—1st November 1942.—In exercise of the power conferred by clause (b) of sub-rule (I) of rule 41 of the Defence of India Rules, the Governor is pleased to prohibit the printing or publishing by any printer, publisher or editor of any factual news (which expression shall be deemed to include reports of speeches or statements made by members of the public) relating to the mass movement sanctioned by the All-India Congress Committee or to the measures taken by Government against that movement, except news derived from and stated in the newspaper which publishes it to be derived from—

- (a) official sources, or
- (b) the "Associated Press" of India, the "United Press" of India or the "Orient Press" of India, or
- (c) a correspondent regularly employed by the newspaper concerned and whose name stands registered with the District Magistrate of the district in which he carries on his work.

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

Published by Authority

TUESDAY, NOVEMBER 10, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Defence.

NOTIFICATION.

No. 2835Def.—9th November 1942.—In exercise of the power conferred by section 4 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), and in partial modification of notifications No. 3531P., dated the 3rd April 1942, and No. 9576P., dated the 25th June 1942, the Governor is pleased to appoint Mr. H. G. Waight, I.C.S., District and Sessions Judge, to be the Special Judge for the district of 24-Parganas and the Presidency town of Calcutta, *vice* Mr. M. H. B. Lethbridge, I.C.S.

By order of the Governor,

J. R. BLAIR,

Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

Published by Authority

SATURDAY, NOVEMBER 21, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Constitution and Elections.

NOTIFICATION.

No. 1704A.R.—21st November 1942.—
The following notification is published for
general information:—

"Notification.

GOVERNMENT HOUSE,
CALCUTTA,

The 20th November 1942.

His Excellency the Governor has been
pleased to accept the resignation of the
Hon'ble Dr. Syamaprasad Mookerjee of his
office as Member of His Excellency's Council
of Ministers with effect from the afternoon
of 20th November 1942.

By Command,

A. DEO. WILLIAMS,
Secretary to the Governor of Bengal.

J. R. BLAIR,
Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

Published by Authority

SATURDAY, NOVEMBER 21, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Constitution and Elections.

NOTIFICATION.

No. 1707A.R. — 21st November 1942. —
The following notification is published for
general information :—

GOVERNMENT HOUSE,
CALCUTTA,
The 21st November 1942.

Notification.

His Excellency the Governor has been
pleased to appoint temporarily the Hon'ble
Mr. A. K. Fazlul Huq to be Minister in
charge of the Finance Department.

By Command,

A. DEC. WILLIAMS,

Secretary to the Governor of Bengal.

J. R. BLAIR,
Secy. to the Govt. of Bengal.



Calcutta Gazette

Extraordinary

Published by Authority

THURSDAY, NOVEMBER 26, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

DEPARTMENT OF PUBLIC HEALTH
AND LOCAL SELF-GOVERNMENT.

Local Boards.

NOTIFICATION.

No. 830.-L.S.-G.—26th November 1942.—
Whereas the district board of Faridpur has
by a resolution passed at a special meeting
held on the 28th October 1942, applied, under
section 28 of the Bengal Local Self-Govern-
ment Act of 1885 (Bengal Act III of 1885),
for the removal of Maulvi Yusuf Ali
Choudhury, M.L.A., from his office as Chair-
man of the said district board on the ground
that he persistently neglects his duties as
Chairman:

And whereas the Governor is satisfied that
he said Chairman of the Faridpur district
board has been guilty of persistent negligence
in the performance of his duties:

Now, therefore, in exercise of the power
conferred by section 28 of the said Act, the
Governor is pleased to remove Maulvi Yusuf
Ali Choudhury, M.L.A., from his office as
Chairman of the Faridpur district board with
effect from the date of publication of this
notification in the *Calcutta Gazette*.

By order of the Governor,

T. I. M. NERANNABI CHAUDHURI,
Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

Published by Authority

SATURDAY, NOVEMBER 28, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Press.

ORDER.

To—All Printers, Publishers and Editors.

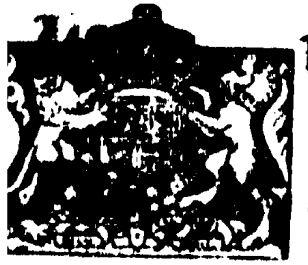
No. 1029Pr.—28th November 1942.—In exercise of the power conferred by clause (b) of sub-rule (1) of rule 41 of the Defence of India Rules, the Governor is pleased to order that unless officially announced, no printer, publisher or editor shall publish any news of or any reference to—

- (a) any interruption of any kind in road or railway communications;
- (b) any act of sabotage or attempted sabotage directed at any railway, military or civil aerodrome, power house, water or oil supply installation, telegraph or telephone line or other public utility service;
- (c) any strike or interruption of work in any factory engaged in the production of material required for military purposes.

By order of the Governor.

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.



The Calcutta Gazette

Extraordinary

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TUESDAY, DECEMBER 15, 1942

PART I

Orders and Notifications by the Governor of Bengal, the
High Court, Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME DEPARTMENT.

Press.

NOTIFICATION.

No. 1080Pr.—14th December 1942.—
Whereas in the opinion of the Governor the
issue, dated the 3rd October 1942, of the
Azad, a Bengali daily newspaper, printed and
published by Maulvi Abul Kalam Shamsuddin
from 86A, Lower Circular Road, Calcutta,
contains prejudicial reports of the nature
described in sub-rule (7) of rule 34 of the
Defence of India Rules, read with clauses
(b), (d), (f) and (h) of sub-rule (6) of that
rule;

Now, therefore, in exercise of the power
conferred by clause (d) of sub-rule (1) of

rule 40 of the said rules, the Governor hereby prohibits—

- (a) the further publication, sale or distribution of the said issue of the *Azad* newspaper; and
- (b) the publication, sale or distribution, from the date of service of this order until further orders, of any subsequent issue of the said *Azad* newspaper.

And further, in exercise of the power conferred by clause (e) of sub-rule (1) of rule 40 of the said rules, the Governor hereby declares to be forfeited to His Majesty all copies, wherever found, of—

- (a) the said issue of the *Azad* newspaper, dated the 3rd October 1942; and
- (b) any document containing copies, reprints or translation of or extracts from the said issue of the *Azad* newspaper.

By order of the Governor,

A. E. PORTER,

Addl. Secy. to the Govt. of Bengal.

To—The Printer and Publisher of the *Azad* newspaper.



The Calcutta Gazette

Extraordinary

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TUESDAY, DECEMBER 22, 1942

PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

DEPARTMENT OF COMMERCE AND LABOUR.

Directorate of Civil Supplies, Bengal,
7, Church Lane.

ORDERS.

No. 1747DCS.—21st December 1942.—
In exercise of the power conferred by clause
(a) of sub-rule (2) of rule 81 of the Defence
of India Rules, read with clause (f) of that
sub-rule, the Governor is pleased to direct

that no essential commodity specified in the
annexed schedule shall be moved by any form
of conveyance by any person from any place
within the Rajshahi Division to any place
outside that Division, except under and in
accordance with the conditions of a permit in
writing issued by or under the authority of
a District Magistrate of the Rajshahi
Division.

The Schedule.

Rice in the husk (paddy).
Rice husked.

No. 1748DCS.—21st December 1942.—In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, read with clause (f) of that sub-rule, the Governor is pleased to direct that no essential commodity specified in the annexed schedule shall be moved by any form of conveyance by any person from any place within Calcutta and the Industrial area to any place outside the said areas except under and in accordance with the conditions of a permit in writing issued by or under the authority of the officers named below:—

1. Controller of Civil Supplies, Calcutta—when the specified commodities are situated in Calcutta Police jurisdiction.

2. District Magistrate, 24-Parganas—when the specified commodities are situated in the district of 24-Parganas.

3. District Magistrate, Howrah—when the specified commodities are situated in the district of Howrah.

4. District Magistrate, Hooghly—when the specified commodities are situated in the district of Hooghly.

Explanation—In this order—

(1) "Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by section 1 of the Calcutta Suburban Police Act, 1866, and

(2) "Industrial area" means the Sadar and Barrackpore subdivisions of the district of 24-Parganas, the Sadar subdivision of the district of Howrah and the Serampore and Sadar subdivisions of the district of Hooghly.

This order will come into effect from the 22nd December 1942.

The Schedule.

Rice in the husk (paddy).

Rice husked.

By order of the Governor,

D. L. MAZUMDAR,

Dy. Secy. to the Govt. of Bengal.



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PART I

Orders and Notifications by the Governor of Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF BENGAL

HOME (POLICE) DEPARTMENT.

Transport.

NOTIFICATION.

No. 433T.—31st December 1942.—In exercise of the powers conferred by clauses (a) and (i) of sub-rule (2) of rule 89 of the Defence of India Rules and in supersession of the Government of Bengal, Home (Police) Department, notification No. 4386Pl., dated the 18th September 1942, the Governor is pleased to make the following Order, namely:—

Order.

1. This Order shall come into force on the 1st day of January 1943.

2. No person shall use a motor vehicle, and no person owning or having charge of or control over a motor vehicle, shall permit the use of such motor vehicle, in any place within the province of Bengal unless a special permit authorising its use on the road has been issued in respect of the motor vehicle by the Area Rationing Authority having jurisdiction in respect of such vehicle to issue coupons under the Motor Spirit Rationing Order, 1941, and unless the special permit so issued is carried on the motor vehicle when such vehicle is being used.

3. Nothing in this Order shall apply to a motor vehicle employed by the Central or the Provincial Government in or in the maintenance of His Majesty's Forces or for defence or internal security purposes or required by any railway administration for purposes other than the supply to the public of facilities for the carriage of goods or passengers or to a motor vehicle specially exempted from the provisions of this Order by the Provincial Government.

4. In this Order, the expressions "Area Rationing Authority", "coupon" and "motor vehicle" have the same meanings as in the Motor Spirit Rationing Order, 1941.

By order of the Governor,

N. M. AYYAR,

Provincial Transport Controller
and

Addl. Secy. to the Govt. of Bengal
(*ex-officio*).

DEPARTMENT OF COMMERCE AND LABOUR.

Commerce.

NOTIFICATION.

No. 6431Com. 31st December 1942.—In exercise of the power conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Governor is pleased to cancel, with effect from 31st December 1942, Government of Bengal, Commerce and Labour Department notification No. 4534Com., dated the 27th July 1942.

By order of the Governor,

A. D. KHAN,

Dy. Secy. to the Govt. of Bengal.

Directorate of Civil Supplies, Bengal.

NOTIFICATION.

No. 1999D.C.S.—31st December 1942.—Whereas it appears to the Provincial Government that it is necessary and expedient for maintaining supplies essential to the life of the community to prohibit certain transactions in *gur*;

Now, therefore, in exercise of the powers conferred by rule 81 of the Defence of India Rules, the Governor is pleased to make the following Order, namely:—

Order.

1. (1) This Order may be called the "Gur (Futures and Options Prohibition) Order, 1942.

(2) It extends to the whole of Bengal.

2. In this Order unless there is anything repugnant in the subject or context,—

(a) "futures in *gur*" means any agreement relating to the purchase or sale of *gur* made on a forward basis and providing for delivery at some future date and payment of margin on such

date or dates as may be expressly or impliedly agreed upon by the parties;

(b) "gur" means any form of crude sugar commonly known as *gur* but does not include sugar as defined in clause (b) of section 2 of the Sugar (Excise Duty) Act, 1934;

(c) "margin" means the difference between the price specified in an agreement relating to the purchase or sale of *gur* and the prevailing market price for the same quality and quantity of *gur* on a particular day;

(d) "option in *gur*" means an agreement for the purchase or sale of a right to buy, or a right to sell; or a right to buy and sell, *gur* in future, and includes a *teji*, a *mandi* and a *teji-mandi* transaction in *gur*.

3. After the commencement of this Order no person shall—

(a) enter into any "futures in *gur*" or pay or receive, or agree to pay or receive, any margin relating to any such futures;

(b) enter into any options in *gur*.

4. All futures and options in *gur* entered into before the commencement of this Order and outstanding for settlement or remaining to be performed, as the case may be, whether wholly or in part, shall be void within the meaning of clause (g) of section 2 of the Indian Contract Act, 1872.

5. No person being the owner or occupier of any premises shall use or knowingly permit such premises to be used,—

(a) for dealing in futures or options in *gur*, or the payment or receipt of

margins, in contravention of the provisions of paragraph 3, or

(b) for the settlement of any futures or the performance of any options in *gur* in contravention of the provisions of paragraph 4.

6. The Provincial Government may, by a notification in the Official Gazette, appoint such persons as it thinks fit to be Inspectors for the purposes of this Order.

7. An Inspector appointed under paragraph 6 may, within the local limits for which he is appointed—

(a) enter, inspect or search any premises used or believed to be used for dealing in futures or options in *gur*, or the payment or receipt of margins, with such assistants, if any, as he thinks fit;

(b) require the owner, occupier or any other person in charge of the premises to produce any books, accounts or other documents relating to such transactions;

(c) take or cause to be taken extracts from or copies of any documents relating to such transactions which are produced before him or otherwise found in the premises;

(d) seize and remove all stock of *gur* taken in settlement of any transaction made in contravention of paragraphs 3 and 4 of this Order, and all such stock of *gur* shall be forfeited to Government.

By order of the Governor,

D. L. MAZUMDAR,

Dy. Secy. to the Govt. of Bengal

